California Journal
The Monthly Analysis of State Government and Politics
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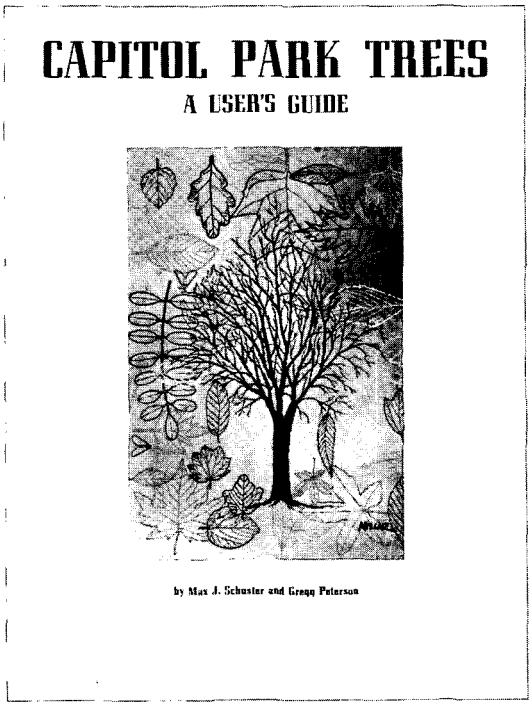

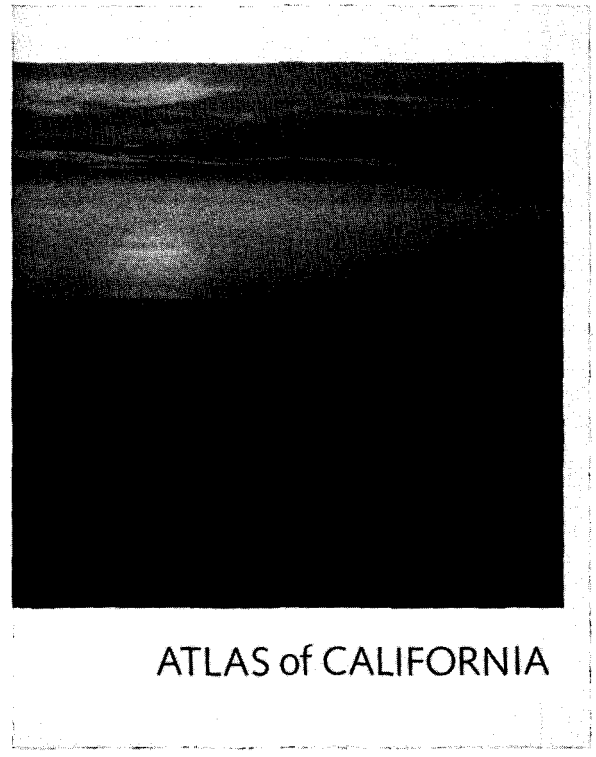

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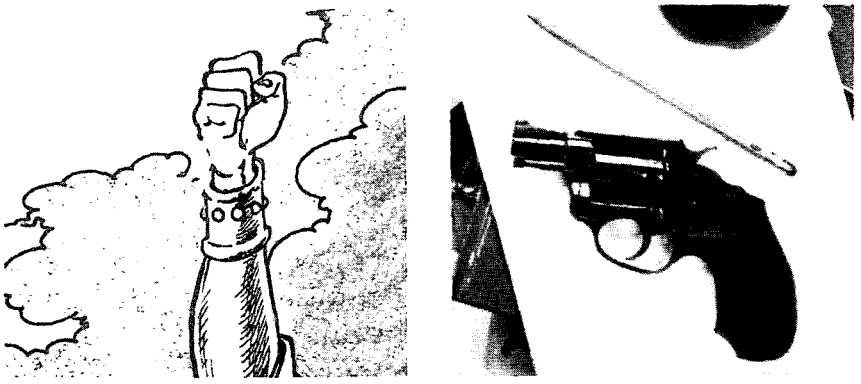

Special Section: The Budget

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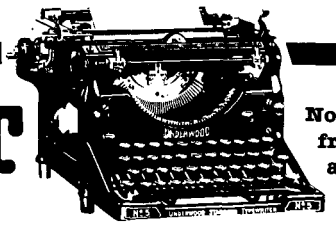
UP FRONT



Notes and Items from Contributors and the Journal Staff.

Last month, we reported that the city of Anaheim had the one stadium in California where everything seemed rosy and rich ("The Lure of Big League Sports," *CJ,* August 1983). No longer. Now, Gene Autry, owner of the California Angels, has threatened to move his team out of the "Big A" because he says a proposed high-rise complex on the stadium parking lot will snarl traffic and "jeopardize the convenience, enjoyment and safety of our baseball fans." The high-rise was proposed by a partnership that includes Autry's co-tenant, the Los Angeles Rams. The right to develop 68 acres of the parking lot was one of the enticements used to lure the Rams away from the Los Angeles Coliseum in 1979.

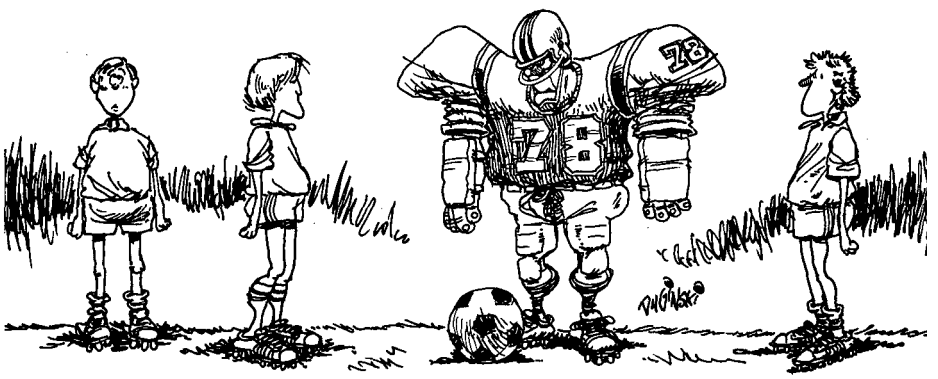
Complains Autry, "The city contracted with these out-of-town developers behind closed doors, and we were never consulted."

To emphasize his displeasure, the former singing cowboy filed a $100 million lawsuit against Anaheim Stadium Associates, the partnership that includes the Rams. If he wins, Autry says he'll use the money to build his own stadium somewhere else.

As chairman of the Legislature's Joint Rules Committee, Assemblyman Lou Papan likes to show that he controls things around the Capitol building. Witness the way he banished members of the governor's staff from the Capitol's underground parking garage last July (see story, page 328). But Papan soon discovered that he doesn't quite control everything under the golden dome. On July 18th, the Millbrae Democrat was briefly kidnapped by the Assembly members' elevator. After he had entered on the sixth floor, the elevator's outer doors closed, but the inner doors remained open and the elevator wouldn't budge. Using physical rather than legislative muscle, Papan pried the outer doors open just enough to sidle to safety. To date, the elevator has not yet been removed, while cars belonging to the governor's staff remain banished.

Two deaths in one week, John Thurman and Randy Collier, evoke thoughts of each, and comparisons. Concerning Thurman, who died July 27th at age 64, we agree with *Sacramento Union* columnist Dan Walters when he called the former assemblyman and dairy farmer "the Real McCoy, a throwback to the days when state legislators were something else first and came to Sacramento to do the public's business . . ." Walters went on to say that such citizen-legislators have been replaced, unfortunately, by "the sharpies, many of them fresh out of legislative staffs . . . with their blow drier hair, insincere smiles, trendy clothes and manipulative attitudes towards the public they were supposed to be serving." But in fairness to those blow-dried sharpies of today it ought to be noted that there were quite a few sharpies around in the good old days of citizen-legislators, and one of them was named Collier. Although he never outfitted himself in trendy clothes, he could smile insincerely with the best of them and manipulate not only the public but h colleagues. When he died August 2nd a age 81, it was hard to believe that he wa gone. Somehow it seemed that the old fo might go on forever, cheating death a well.

As a result of our article on profe sional sports ("The Lure of Big Leag Sports," *CJ,* August 1983), several rea ers have written to inform us that the S Diego "Aztecs" are a college football tea fielded by San Diego State University and not a professional soccer team as r ported in the article. Well, kick us acro the field. As usual, our well-informe readership is right. Although there is



professional soccer team in San Diego, is called the "Sockers," not the "Aztecs Apologies to all those SDSU grads i censed over the mix-up.

In this year of austere budgets, Ca fornia's Superfund may end up with a percent budget cut that no one intende The Superfund is supposed, by law, provide $10 million each year to he clean up abandoned toxic waste sites. get that $10 million, the State Board Equalization taxes companies that di pose of hazardous waste, then turns t money over to the Department of Heal Services which administers the fun The tax, based on tons disposed, spread among the companies so that tot assessments add up to $10 million — more and no less.

This year, there is less. Seems t Whittaker Corporation's Bermite Di sion in Saugus reported its disposal gallons rather than tons but was billed f a like number of tons. Instead of an a

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essment of $1100, Bermite got a notice
pay more than $1 million. Three other
mpanies had smaller reporting errors,
od for another $825,000 shortfall, ac-
rding to sources at the Department of
ealth Services.

So, why not just recalculate the tax and
assess everyone the proper amounts?

"The law (a 1981 bill that created the
uperfund) has no provisions for reas-
essing after May 1st," says a spokesper-
n for Health Services. And, the source
lds, unless the Legislature passes an-
her bill by September 15th to correct
e problem, California's Superfund will
me up 20 percent short.

(Dorothy Kupcha, Sacramento)

The potential dangers from AIDS (ac-
uired immune deficiency syndrome)
ay change licensing requirements for
alifornia doctors because a growing
mber of them feel training in mouth-
-mouth resuscitation brings with it the
sk of contracting the disease.

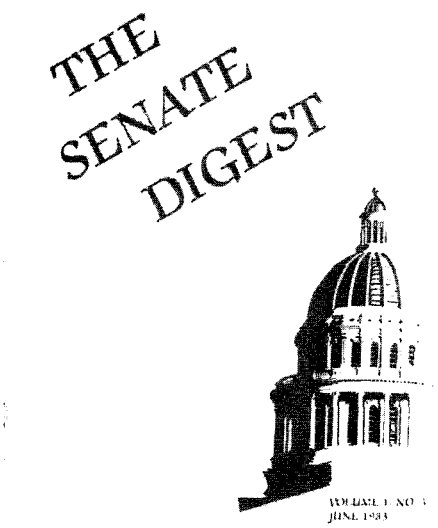
In California, the state Board of Med-
al Quality Assurance (BMQA) requires
at physicians be retrained every two
ears in cardiopulmonary resuscitation
PR) before being recertified to practice
edicine. One phase of that training in-
lves breathing into the mouth of a man-
in to practice life-saving techniques.
octors like Robert Weinmann, presi-
ent of the San Jose chapter of the Union
American Physicians and Dentists, ob-
ct to using a manikin that others have
sed because residues of saliva may be
und on the manikin and because AIDS is
elieved to be transmitted through con-
ct with bodily fluids like saliva.

AIDS, a mysterious breakdown in a per-
n's immune system, attacks mostly gay
en, plus Haitian immigrants, drug ad-
icts and prostitutes.

"The Board is very concerned about
is problem," says Dr. Tony Gualtieri,
ief medical consultant to the BMQA.
The Board plans to take up the whole
uestion of CPR at its September 22nd
eeting in San Francisco."

To help them determine the actual risk
doctors, the BMQA has asked for expert
pinions from the federal Center for Dis-
ase Control in Atlanta, Georgia, and
om an AIDS task force sponsored by the
tate Department of Health Services.

The state Senate recently published
e third edition of its "Senate Digest," a
it of public relations hurrah on its own
ehalf. The current volume contains ar-
cles about Democrat Henry Mello of
atsonville, high-technology in Califor-



nia's future and an export-financing bill by Democrat Rose Ann Vuich of Tulare County. Editor Kathy Humphrey, a consultant with Senate Rules, says the 30-page booklet is meant to help explain the legislative process to those people outside Sacramento who may not understand how things work around here. (Don't think you can do it in 30 pages, Kathy.) According to Humphrey, the Senate has mailed out 16,000 digests at a cost of $1880. Seems there must be more than 16,000 Californians who don't understand how the Legislature works.

Cliff Berg, executive officer of the California Senate, says he's always avoided sports like skiing and mountain climbing because he hasn't wanted to get hurt. Says he took up tennis because it was a low-risk activity. Well, no McEnroe, he. While dropping off for a backhand return not long ago, Cliff broke his left foot, an injury that's put him in a cast for five weeks. Cheer up, Cliff. There's always golf.

Tennis injuries must be contagious. David Doerr, chief consultant to the Assembly Revenue and Tax Committee, is also hobbling around on crutches. Doerr pulled the muscles in his left calf while playing tennis with Kirk West, Secretary of the Business, Transportation and Housing Agency.

Seems a 47-person congressional delegation, with all its attending staff, doesn't have enough eyes and ears around Washington to adequately serve California's interests. Now some members of that delegation want to set up a bi-partisan, privately funded institute to figure out how pending legislation — especially bills involving money — would affect the state. Representatives Vic Fazio, a Sacramento Democrat, and Carlos Moorhead, a Glendale Republican, are pushing the idea and trying to enlist help from elected officials in California (see Leo Rennert's column, *CJ*, July 1983). Congress already employs some 19,000 staff aides on Capitol Hill and in home districts, and California claims its fair share of that burgeoning staff. But Fazio and Moorhead think the staff needs help.

(Steve Pressman, Washington)

Chalk up another bonanza for the legal fraternity. A recent study by the Rand Corporation of Santa Monica shows that lawyers (for both sides) divvy up nearly two-thirds (or 63 cents on the dollar) of the money spent by defendants and insurance companies in lawsuits arising from exposure to asbestos. Plaintiffs, those claiming injury and suffering due to that exposure, get only 37 cents. Local lawyers, by the way, do best of all, Rand reports, since 29 percent of all asbestos cases are filed in California.

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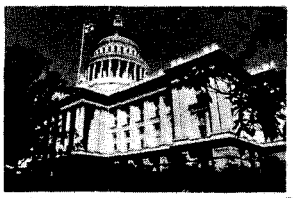

Capitol review

August 19, 1983

There's really only one name that matters around the Capitol these days, and it isn't George Deukmejian or Willie Brown or Dave Roberti. It's Sebastiani, and it stands for reapportionment. Indeed, Republican Assemblyman Don Sebastiani of Sonoma, who started it all, has become just another player in the unfolding action. The Sebastiani issue probably is less on each lawmaker's mind than the publicity would make you think. Having returned from their summer recess August 15th, lawmakers have only a month in which to handle many other issues. However, many of the others will be connected to Sebastiani whether anyone wants it that way or not.

Take, for instance, the question of whether to provide new revenues for cities and counties by allowing them to boost the sales tax in their areas. Democrats in the Legislature want to do it; the governor and his Republican allies do not. Ordinarily, Democrats might try to put a sales tax bill on the governor's desk. If he vetoes, he becomes the bad guy who denies deperately needed new money to local government. When police officers and deputies are fired around the state, he gets the blame. If the Republican minority blocks the Democratic bill, as it could, its members would feel the heat.

But the issue can no longer be considered alone. With a special election on reapportionment now scheduled for December 13th, Democrats must consider the wisdom of supporting a tax increase only a few months before. (The odds are they won't.)

Many Democrats hope that the liberal-leaning State Supreme Court — with its majority of venturesome Jerry Brown appointees — will prevent the special election. For Democrats fear that the election, with its probable low turnout, will be a very hard one for them to win. If the voting occurs, State Treasurer Jess Unruh, chosen by party leaders to run their campaign, is expected to rely heavily on the absentee ballot, a device for rounding up votes from minority groups and others whose turnout record is poor. (See, "Mail Order Voting Booths," *CJ*, August 1983). Although there have been doubts about the legality of absentee voting, they were erased in an August 4th decision from the State Supreme Court.

A Democratic initiative

Unruh and the Democrats might also try to convince voters that a vote for Sebastiani would generate a long, costly and dreary process. Thus, shortly before the December election, they might promise — or actually launch — their own reapportionment initiative campaign, one aimed at replacing Sebastiani's redistricting lines should they be approved.

For their part, the Sebastiani forces appear to be relying largely on a strategy they have used from the start: showing maps of the hooked and sprawling Legislative and Congressional districts created by Democrats and the more compact districts, oriented toward city and county boundaries, created by themselves.

Initially, Democratic hopes were that Deukmejian would follow his early inclination and not call a special election. When it became evident in late June that he might change his mind, Democrats inserted a provision in the state budget package to boost Democratic turnout at any forthcoming special election by calling for a Democratic presidential primary at the same time. Deukmejian objected to the tactic, and the budget deadlock was on.

Eventually, on July 18th, after complex negotiations that also involved funding for the public schools, Deukmejian called the special election. On the next day, Democrats — whose national leaders had strongly opposed the December primary — voted out the budget bill.

A pending deal?

What happens now? There is some talk at the Capitol that Deukmejian would like to negotiate a deal with Democrats along lines first discussed during July budget negotiations. Under the arrangement, Deukmejian — who has pointedly not yet endorsed the Sebastiani initiative — would rescind his call for the special election. As a result, the measure would not go to voters until the June primary election in 1984.

For their part, Democratic leaders would reverse themselves and support creation of a non-partisan reapportionment commission, much like one proposed by Republicans and Common Cause, that voters rejected in November 1982. The new commission, unopposed by Democrats this time, also would appear on the June 1984 ballot. If voters chose the commission, it would redraw legislative and congressional districts for 1986.

Supposedly, the arrangement also would include provisions to undercut an initiative being promoted by Paul Gann. The proposed ballot measure would force the Legislature to reduce spending on itself by 30 percent and would guarantee a proportionate share of committee chairmanships and other "dignities" to the minority party. Assembly Republicans helped finance the measure after their "dignities" were stripped away this year by Assembly Speaker Willie Brown. In return for a restoration of "dignities," they would join Democrats in opposing the Gann measure.

Why would Deukmejian want to negotiate such a package? Perhaps because he realizes that his own political future could be harmed by continuing to battle with Democrats in the Legislature. Having clearly established himself during the budget battle as a tough negotiator, he can safely take a more conciliatory stance.

Robert Fairbanks

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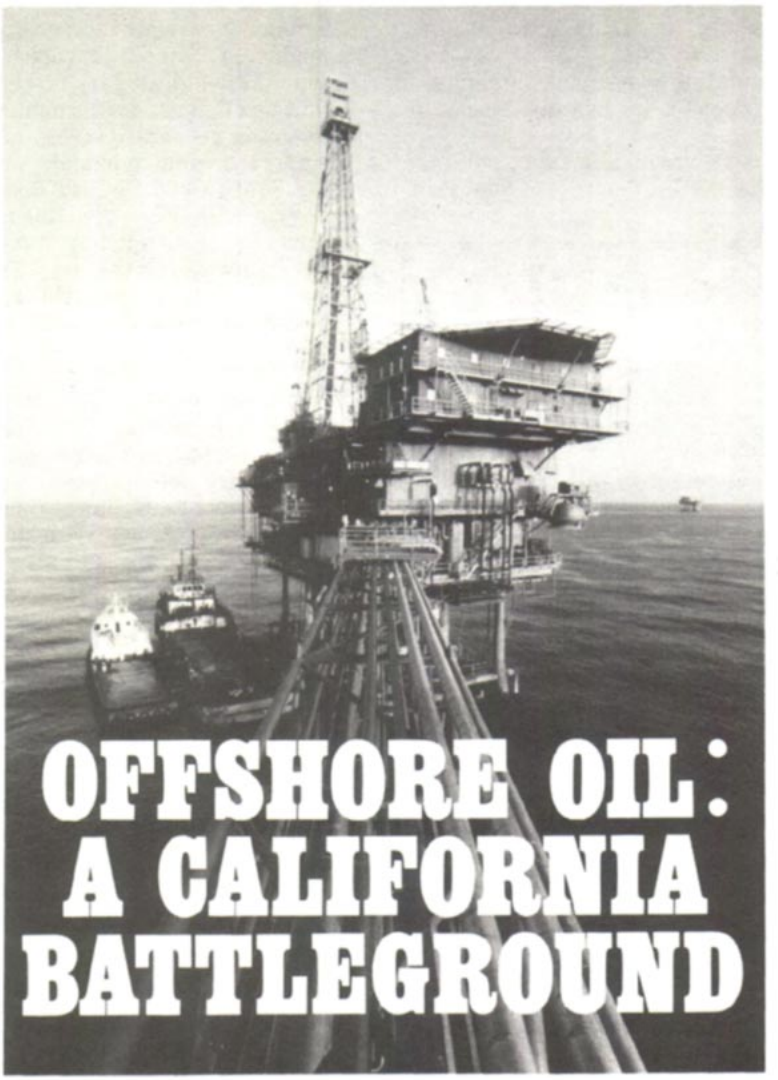

OFFSHORE OIL: A CALIFORNIA BATTLEGROUND

By WESLEY MARX

It could begin on a bright, summer afternoon when southern California is enjoying the infinite variety of its marine heritage. The surf is up, sails are up, the albacore are running, the Navy is on maneuvers and a million pilgrims are paying homage to the sun along the beach. All are blissfully unaware that just offshore the crew of an exploratory oil platform is having some unexpected trouble while retrieving a drill bit from a well casing.

Without warning, a pungent mist leaks from the casing. The workers cough, their eyes tear as haze engulfs the platform, and they frantically thrust more drilling "mud" into the hole, halting the danger. As crew members take a break to clear their heads, one of them notices a gummy slick of oil spreading quickly from below the rig, and the real danger is suddenly apparent: The drill bit has tapped a deep submarine oil reservoir, and geological fissures just below the lower limit of the casing have provided a path for the highly pressurized oil to gush to the surface.

And so, the next big oil spill off the California coast — perhaps rivaling the spill off Santa Barbara in 1969 — could begin.

Why talk of such possibilities now? Because President Reagan's irrepressible Interior Secretary, James Watt, has launched an ambitious program to lease off-shore America for oil exploration, an action that has generated a continuing conflict in this state. While Watt and others contend that the oil fields must be developed quickly in case America's mideast oil supply is interrupted again, opponents contend that the rapid development could overwhelm safeguards and bring disaster to California's coast.

Wesley Marx, author of The Oceans: Our Last Resource, *is a trustee of the Center for Law in the Public Interest and a former member of the California Tahoe Regional Planning Agency.*

State-controlled tidelands, extending three miles outward from shore, are also involved. Since submarine oil basins do not respect the three-mile limit, some state officials fear that pumping on federal territory could drain state oil reserves. Thus, they wish to speed state developments as well. Here, too, opponents contend that the result could bring disaster to the coast.

The initial push for expanded leasing on the Outer Continental Shelf (OCS) came from Reagan himself. While campaigning for the presidency in 1980, he castigated President Carter's program as too modest but did not say where and at what rate accelerated oil leasing would occur.

By 1981, however, Secretary Watt was filling in those details, announcing his intention to make available for oil leasing some one billion acres — almost the entire OCS — within five years. In contrast to Watt's huge proposal, only 50 million acres total had been offered during the program's first 26 years (1954-1980), which is less than the 59 million acres to be opened up off California alone.

Today, following an oil glut and several rounds of OPEC price cutting, it's easy to criticize Watt's rapid lease schedule from the standpoint of need alone. However, when he made the decision in 1981, the memory of oil shortages was still fresh in the public mind.

At the time, Watt said he expected — indeed, almost welcomed — opposition from environmental groups, but opposition has turned out to be much more broad-based. Along coastal California, from Humboldt County south to the city of San Diego, county and city governments have been testifying and lobbying intensively against accelerated leasing — an opposition that crosses party lines, from San Diego Mayor Roger Hedgecock, a Republican, to Los Angeles Mayor Tom Bradley, a Democrat. A bi-partisan majority of California's congressional delegation has also come out against the Watt program.

What makes the leasing program pushed by the Reagan

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Administration such a hot political issue in California? While the OCS may appear a "frontier" area to the oil industry, the OCS off California is already a major resource of critical importance to many user groups, from commercial fishermen to coastal resorts to the Navy. Statewide, tourism — mainly coast-oriented — is California's third largest industry, while for the Navy and Marine Corps, California's wet side provides an expansive exercise area for fleet operations, simulated low-level bombing and rocket firing, electronic system testing and amphibious operations.

To local officials from coastal areas, an accelerated-lease program seems to imply the need for more, not less, planning and review oversight. However, to Secretary Watt, planning and review seems to conflict with another Reagan campaign pledge to streamline the federal OCS process. Note how just one planning issue peculiar to the California OCS — earthquakes and submarine landslides — becomes a policy conflict, given this split in federal-state perspectives. Until now, geohazard assessments have been conducted before tracts are leased. Sites with geohazards severe enough to defy effective design precautions can thus be eliminated. But under Interior's accelerated-lease program, geohazard investigations will be done after leasing by the winning bidders, a process that the chairman of the Santa Cruz County Board of Supervisors, Robley Levy, said is akin to "putting Dracula in charge of the blood bank. It seems unlikely that industry will provide information indicating that leasing cannot be carried out in an environmentally acceptable manner when the result could be cancellation of the lease."

"Localized" spills

To Interior officials, the ability to prevent or control "accidents" during OCS exploitation has improved greatly since the 1969 Santa Barbara oil spill, but California coastal officials are not convinced. With rocky shores and bluff-backed beaches, California has a type of shore that is most difficult to protect and clean up once a spill occurs. The ability to control a spill at sea becomes that much more crucial. Based on actual sea tests, the California Coastal Commission found that skimmers and other clean-up equipment are not effective in waves higher than six feet or in currents of over one knot — conditions that can prevail off southern California 25 percent of the time and in central and northern California 50 to 80 percent of the time. At least one key federal official shares California's concern over such technical limits. In 1981, Captain Charles Corbett, head of the Coast Guard's Marine Environmental Division, testified before Congress, "I do not believe there now exists an in-place capability to respond to a major oil spill in the Outer Continental Shelf."

Interior officials concede that spills could reach shore but say impacts would be "localized." "If that localized impact is along our coastline," observes Chairman Levy of the Santa Cruz County Board of Supervisors, "the effects will be devastating to our economy, which is dependent on tourism, agriculture, and commercial fishing." The Santa Cruz

Storing spills

Where do you store the oily emulsion that"sea dragon" skimmers might retrieve in case of a major spill in federal waters? That's a question coastal counties would like answered. Very few have the resources, much less the onshore sanitary landfill capacity, to store thousands of barrels of spilt oil. (The Interior Department estimates that at least 25 spills of more than 1,000 barrels each will originate from OCS leases in southern California.) The nearest suitable dumpsite for Orange County is 50 miles away in Los Angeles County. If one truck hauler has his own accidental spill, the freeway system could turn into a parking lot. Offshore, skimmers could be backed up, waiting to be off-loaded. To the city of Huntington Beach, the disposal paradox is "a very serious impediment to effective clean-up." And what about those clean-up co-operatives set up by industry to handle spills? These co-ops are well-equipped to handle small or medium size spills, but "controlling a massive spill is of course another matter," notes a spill report prepared by the city of Laguna Beach. In case of a spill affecting several communities, coastal towns could wind up competing for access to a limited number of booms stashed in a central warehouse 50 or 60 miles away.

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TRAILS OF TOXIC WASTE

An investigation of hazardous waste management and the difficult task of separating science and politics. A look at the Deukmejian approach; bureaucratic enforcement problems; a major toxics landfill; and the LA Hazardous Waste Strike Force.

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Sacramento	KVIE-6	Fri. Oct. 10	7:00 PM
	KTXL-40	Sat. Oct. 1	9:30 AM
San Diego	KPBS-15	Tues. Sept. 27	6:00 PM
		Fri. Sept. 30	10:00 AM
San Mateo	KCSM-60	Tues. Sept. 27	9:30 PM
Fresno	KMTF-18	Sun. Oct. 2	2:30 PM
San Bernardino	KVCR-24	Tues. Oct. 11	7:30 PM

Check local listings in October for : Eureka, KEET-13; Huntington Beach, KOCE-50; Redding, KIXE-9 and San Jose, KTEH-54.

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region could lose a million visitors if its beaches were closed for one month, he says.

As for agriculture, when the supertanker *Amoco Cadiz* grounded and broke up off the coast of Brittany in 1978, the resultant one million barrel oil spill not only wreaked havoc on beaches and coastal sanctuaries, but vapors driven inland by air currents damaged lettuce and other coastal crops.

In a 1983 environmental impact statement for a Southern California lease sale set for 1984, the Interior Department's Mineral Management Service estimated economic loss from a 30-day closure of beaches due to an oil spill. In Santa Monica Bay, the loss could run "over $132 million in recreation value and over $362 million to the local economy," while in San Diego County there could be "an overall loss of over $142 million to the economy of the area."

The Reagan administration claims that OCS production is still much safer than importing oil in tankers; however, the nature of Southern California's continental shelf tends to subvert this claim. The shelf there is continental borderland that emulates the irregular and steep relief of landside topography. This rugged configuration precludes use of pipelines to transport oil from many tracts in the stepped-up leasing program. Barges or tankers must therefore off-load oil from producing platforms, thus increasing tanker traffic — and the potential for collisions — off California.

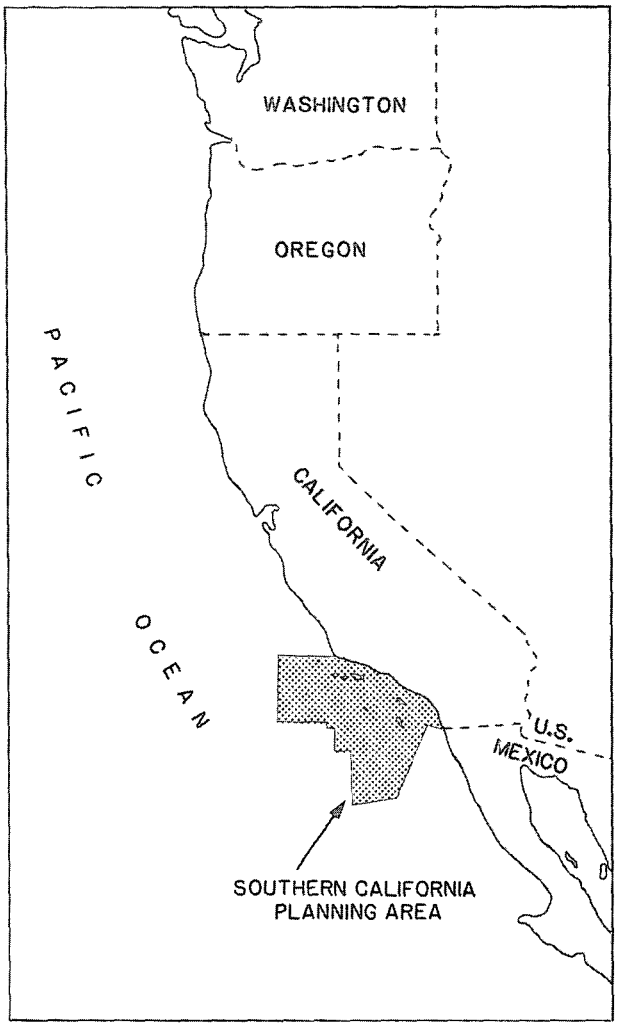
Air emissions from accelerated OCS activity concerns coastal regions, like Los Angeles, which contend with polluted airsheds. The state Air Resources Board reports that nitrogen emissions from one exploratory drilling vessel are equivalent to those from 11,000 to 23,000 automobiles. However, in its push to streamline OCS regulations, the Interior Department, which exempts exploratory OCS activity from federal air regulations, wants to consider exempting production activity as well — a possibility that doesn't play well in Los Angeles. Notes Mayor Bradley, "Given our inability to project compliance with the National Ambient Air Quality Standards in the near future, it is difficult to understand Interior's estimate of minimal air quality costs from leasing activities."

Indeed, the federal tolerance for on-shore impacts places Los Angeles in a Catch-22. The Air Quality Management Plan for the South Coast Basin requires that to meet federal clean air standards, petroleum refining in the Long Beach-Los Angeles Harbor area should be phased out by the year 2000. If the heavy, sour crude oil from OCS production were refined in Los Angeles, refineries would need expensive pollution control devices and special refining equipment. The alternative — exporting oil by pipeline to Texas or other refinery sites — contains another complicated set of environmental and economic issues.

While "supportive of the reasonable development of our offshore resources," Bradley objects to the way the accelerated lease program outstrips the ability of coastal regions to handle the many impacts. As a result, he has taken the lead in organizing local, state and congressional representatives to develop a unified response to the leasing program.

As governor, Jerry Brown was sympathetic to such coastal concerns, vigorously opposing the lease program in both the political arena and in the courts. Brown's opposition had national repercussions because, unlike California, few states have the technical, political or legal resources to sustain legal challenges against the federal government. Critiques by the California Coastal Commission, the State Lands Commission and the state Resources Agency helped provide a sound technical base for leasing critics in other concerned coastal states, in Congress and in the courts. Early court victories by California also served to delay the accelerated-lease program.

In the 1982 elections, the White House singled out Governor Brown as the senatorial candidate it most wanted to defeat, and the oil industry obliged by contributing more than $116,000 to Brown's opponent, Pete Wilson.



But oil's political strategy backfired when Wilson introduced a bill this year to prohibit oil and gas leasing on most of the California Outer Continental Shelf until 1994. Excluded from the proposed ban is the recently discovered oil field in the Point Arguello area of central California and established oil and gas fields in the Santa Barbara Channel and the Long Beach near-shore area. "California and other coastal states are entitled to the assurance that other domestic energy sources have been exhausted before they are asked to expose their sensitive coastlines and their dependent coastal economies to such risk," says Wilson.

California's senior senator, Alan Cranston, introduced another drilling moratorium bill earlier this year which includes a ban on OCS tracts in the fertile Georges Banks area off Massachusetts, a coastal state with an influential congressional delegation. Besides reflecting his long-standing concern with rapid OCS exploitation, this bill provides Cranston, a presidential candidate, with a clearly defined campaign issue against the Reagan administration.

In the House, the accelerated-leasing program has attracted one ardent defender in the California delegation, Republican Representative William Dannemeyer of Fullerton who says he would rather support Watt's leasing program now than some day explain to parents why "their sons are fighting on the sands of Middle East oil fields to

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retain oil supplies . . ." Undaunted by this stirring imagery, most of Dannemeyer's California colleagues, including conservative Republicans like Robert Badham of Newport Beach, support the growing movement to slow down OCS leasing.

One reason for Republican concern may have been the fate of colleague Don Clausen, former GOP representative from a northern coastal district. During the 1982 congressional elections, Clausen was unseated by Democrat Doug Bosco, a former Assemblyman who campaigned as much against James Watt as against Clausen. That Clausen also opposed Watt's leasing program did not nullify the appeal of this issue in a district where the livelihood of many voters is tied to commercial fishing.

California vs. Watt

At the state level, California's new attorney general, John Van de Kamp, announced an intention to vigorously push legal challenges against accelerated leasing. He also re-established the department's environmental unit, which Governor George Deukmejian disbanded when he was attorney general. The unit's new head is Theodora Berger, the department's lead attorney on offshore oil litigation.

The Deukmejian administration supports deletion of more tracts from the lease sale proposal, but not as many as urged by Los Angeles and other coastal cities. It does not support a delay in the lease sale as requested by the Coastal Commission and cities like Newport Beach, San

In criticizing Brown's reliance on litigation against federal lease sales, candidate Deukmejian stated, "With my relations with the Reagan Administration, it's quite possible we could work it out without a lawsuit." But whatever is "worked out" must still go before — of all people — the California Coastal Commission — a coastal protection agency that Deukmejian wants to abolish.

Under federal law — the Coastal Zone Management Act of 1972 — Interior must first determine that any proposed lease sale is consistent with California's coastal management program. The Coastal Commission then reviews this determination to see if the sale is indeed consistent. If it is not, the commission may request Interior to delete some proposed tracts, or even to cancel the sale.

But whether Interior must comply with the request is the subject of a lawsuit, *California vs. Watt*, due for adjudication this fall before the United States Supreme Court. That suit grew out of a 1981 lease sale (Number 53 on offshore tracts in Santa Maria Basin between Point Conception and Morro Bay) which Watt held without approval from the Coastal Commission. The commission took him to court, winning an injunction that stopped the sale of certain lease tracts whose location, the commision said, was inconsistent with the state coastal program. The injunction, upheld late in 1982 by the Ninth Circuit Court of Appeals, was appealed by Interior to the Supreme Court.

Regardless of the suit, Interior has pushed ahead with other lease sales off California but has complied with the Commission's consistency determination requirements. However, on August 26th the commission staff recommended that one sale — Number 73 (on tracts off Santa Barbara) — be cancelled because Interior's evidence of consistency with the state plan was vague.

The commission also unanimously endorsed a staff-prepared environmental impact review on a third sale, Number 80 (11.6 million acres extending from Santa Barbara County to the Mexican border), recommending the sale be delayed because the drilling rigs would — among other things — generate so much smog that coastal communities could not comply with the federal Clean Air Act. While not binding at this time, the commission endorsement sends a clear signal that Interior has little chance of having its final consistency determination for sale Number 80 approved in the near future.

The need for oil

Concerning politics again, the question is whether the Reagan Administration can fall back on the national appeal of more domestic energy supplies to offset any electoral defections in coastal regions. "If we don't find more energy on the outer continental shelf, we'll have to go on a crash nuclear program. Those are your options," is the way Watt poses the alternatives. His leasing critics, however, have proposed other options such as energy conservation and renewable energy, programs the Reagan administration has been cutting or eliminating. Santa Cruz County has even gone so far as to pledge a willingness to reduce its energy demand by an amount equivalent to the potential oil in submarine basins it wants deleted from leasing. Councilwoman Sally Bellerue of Laguna Beach wants the League of California Cities to consider adopting a similar "equivalency" pledge. The city of Los Angeles recently adopted the Energy/LA Action Plan which could eventu-

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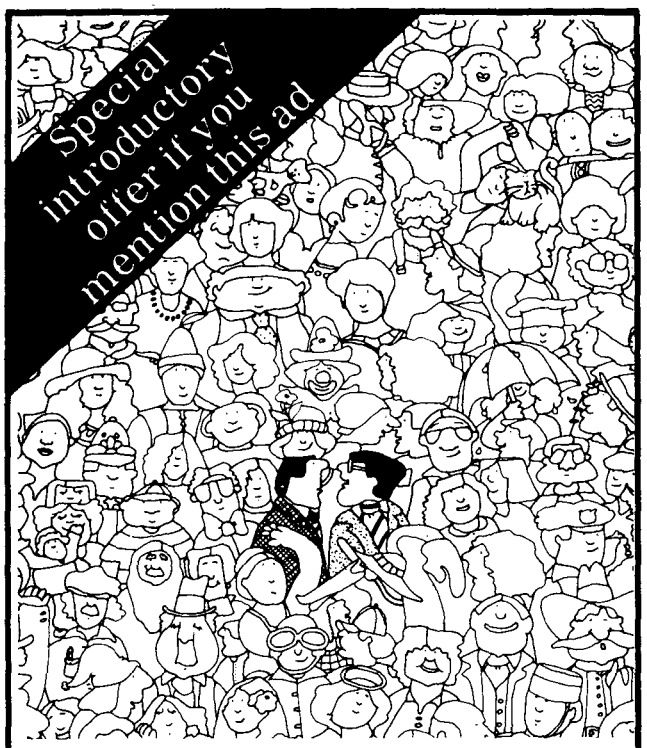

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ally cut the city's reliance on oil almost in half.

Is the fate of California's prized coastal environment being influenced by factors other than just national energy choices? In a report critical of the accelerated-leasing program, the federal General Accounting Office noted, "Indications are that the need to generate revenues was a consideration in developing the new leasing proposal." Watt now claims his leasing program could "generate $60 billion or more for the federal treasury." Nor have Democrats been immune from the lure of OCS exploitation as a budget bailout. As long ago as 1969, President Lyndon Johnson was urged by his Office of Management and Budget to open up the Santa Barbara Channel to oil leasing in order to offset a rising revenue drain from the Vietnam War.

Ironically enough, the fiscal temptation of OCS exploitation casts its own peculiar spell over California's oil-rich tide and submerged lands. Because of the backlash from the 1969 Santa Barbara blowout and spill, the State Lands Commission has refrained from opening up new state lease areas. But with the state's current fiscal bind, the commission has decided to open up a limited area adjacent to the newly discovered Point Arguello oil field, a decision Watt seized upon as evidence of political duplicity: California is willing to lease its offshore fields while denying this option to the entire nation. At the Coastal Zone '83 Conference, commission executive officer Claire Dedrick (former head of the state Resources Agency during the Brown Administration) pointed out that the eight tracts involved cover but 40,000 acres and that state drilling controls are much stricter than federal controls. (Most experts have acknowledged that the 1969 Santa Barbara blowout would not have occurred under state drilling regulations.) While not totally opposed to the new state lease, environmental groups have found a sympathetic audience at the California Coastal Commission, which in May 1983, unanimously rejected the lease proposal. Governor Deukmejian's Coastal Commission appointees joined in this rejection. Although the Lands Commission is delaying its lease proposal, it claims that the review powers of the Coastal Commission are advisory rather than binding. The Coastal Commission, reeling now from Deukmejian's budgetary reductions, is digging in its heels. "When we're dealing with the Coastal Act, which requires full public participation, I'm not going into any smoke-filled back rooms and cutting any deals that I have no business cutting," Coastal Commission Chairman Mel Nutter has said. A decision is due soon on a new State Lands Commission proposal which deletes some of the sensitive environmental area objected to in the original lease.

Current negotiations between the two Commissions may also lead to a compromise involving an oil-free buffer area, exclusion of sensitive marine habitats and establishment of a scientific monitoring panel.

Meanwhile, the sensitivity of coastal communities to stepped-up OCS leasing on federal lands is exceeded only by their sensitivity to the same process imposed on state marine lands. Santa Barbara County, for example, has already filed suit against the new state lease proposal on environmental grounds.

A push for more state oil leasing in the 1950's resulted in the creation of state marine sanctuaries closed to oil drilling, including one that runs from Newport Beach south to the Mexican border. If there is any lesson from the Watt experience with California's alluring offshore area, it is that the drive for rapid marine exploitation, however couched in glowing state or national goals, carries its own political penalties.

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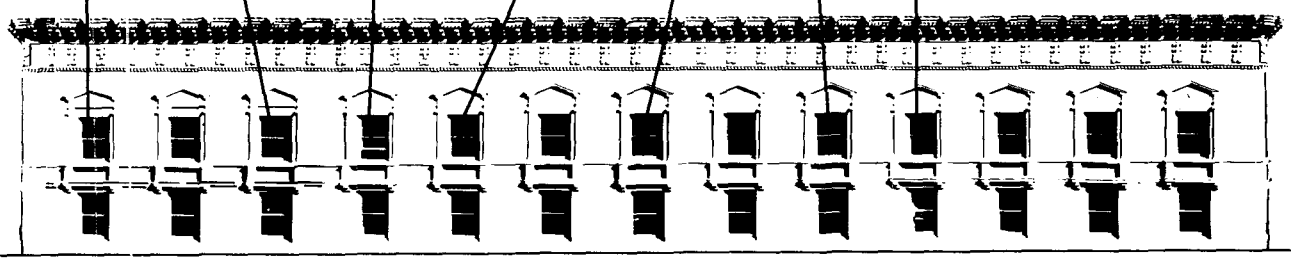

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For Leadfoot Lou, politics is mortal combat

By BOB SCHMIDT

"I rise to speak in opposition to Mr. Papan's bill," Long Beach Democrat Dave Elder said on the Assembly floor recently. "But first, I want to express my sincere respect for Mr. Papan, and my appreciation of his efforts on behalf of all the members in his capacity as chairman of the Rules Committee."

Elder continued his laudatory remarks for several minutes before Speaker Pro Tem Frank Vicencia interrupted to say, "Mr. Elder, please address the bill. If you want to lobby Mr. Papan for a larger office, do it privately."

As it happened, Elder wasn't looking for a bigger office (just then). Being a prudent man, he simply wanted Papan to know that his opposition to Papan's bill was not personal.

All of which is meant to illustrate one of those important facts of life at the state Capitol: It's not wise to get Lou Papan mad at you. As Assembly Speaker Willie Brown once told a member who arose on the floor to challenge a Papan request, "Your point of order is well taken, but it may cost you your office. Mr. Papan is a mean man."

Mean? Not necessarily. Quick to anger and quick to retaliate? That's closer to the mark.

Assemblyman Lou Papan, Democrat of Millbrae (just south of San Francisco). The Enforcer. Leadfood Lou. Fast lane Lou. Even, Sweet Lou.

Lou Papan vs. The California Highway Patrol. Lou Papan vs. Banks. Lou Papan vs. Ken Meade, vs. the California Medical Association, vs. the California Board of Medical Quality Assurance, vs. the California Coastal Commission, vs. almost any Republican, particularly Assemblyman Ross Johnson of La Habra.

Lou Papan, successfully overriding a veto by Governor Jerry Brown.

Lou Papan, orchestrating the magnificently appropriate — but astoundingly expensive — gala celebrating completion of the state Capitol restoration project.

Everything involving Lou Papan seems dramatically larger than life. Even his tragedies.

Lou Papan, driving from Sacramento to a San Francisco hospital every evening so he can sleep by the side of his dying 21-year-old son; able to talk to his wife, also critically ill, only by telephone because her weakened immunity system makes her highly susceptible to infection.

So, who is this larger than life fellow, this son of Greek immigrants who likes to recall that the warriors of ancient Greece never compromised? They were victorious or they were carried home dead on their shields.

At the Capitol, Papan is known first and foremost as the Chairman of Rules, the Assembly's traffic cop committee, the group that can decide a bill's fate by deciding which other committee shall give it a hearing. Rules also influences legislative careers through its distribution of office space and staff. And from time to time the chairman may hand out lucrative consulting contracts — without bid — to persons of his choice.

But Papan's power is more than the sum of such legislative parts. What makes him more intimidating than so many of his relaxed and laid-back colleagues is his penchant for all-out war; to Papan, politics is mortal combat. He will use whatever weapons he has in whatever dispute happens along. Who else but Papan, for instance, would have injected parking privileges into a flap over a political poster?

Gubernatorial aides had placed the poster in a Capitol corridor outside the governor's office during the budget deadlock in July to mark the number of days that had elapsed since June 15th, the Constitutional deadline for legislative approval of a budget.

Displeased by the message, Papan could have created a competitive poster and displayed it in the Legislature's section of the Capitol. Instead, using his authority as Rules chairman, Papan retaliated by removing parking privileges in the Capitol basement from Finance Director

Bob Schmidt is Sacramento correspondent for Knight-Ridder newspapers.

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Michael Franchetti and Executive Secretary Steve Merksamer. Later, he abolished parking privileges for another eight members of the governor's staff who had been allowed to park in the basement on nights and weekends.

Nevertheless, Papan, a burly man of 55, believes that his reputation for heavy-handedness is largely a product of media misrepresentation.

"I say what's on my mind," says Papan. "I don't know any other way to be. When I'm happy, people know it. When I'm mad, people know it. But it's not news when I'm happy, so reporters only write about when I'm mad."

Also, he says, "I'm heavy, and I'm dark, and so reporters are able to use certain adjectives when they write about me that are unflattering. The people who don't know me personally have an image of Lou Papan that the media created. The people who know me have a different image. Why don't reporters try to find out why my staff has stayed with me so long? I've had almost the same staff since I've been in the Assembly. If my image were true, how could that be possible?

"Maybe my staff has gotten to understand me better than the press does.

"Maybe the people in my district who vote for me know me better than the press does. They favor the death penalty. They know I do not favor the death penalty. But they vote for me."

Papan, agitated now, punctuates his words with a forefinger jabbing the air, or with sweeps of his flattened hand, his fingers pressed tensely together.

Lou Papan is correct. When he is angry, people know about it.

The interview is taking place in a restaurant, and he looks around now to see if he has attracted any attention, finds he hasn't, but lowers his voice anyway.

"I've been chairman of the Rules Committee for, how long, seven years?" he asks. "I can't think of a single instance when I've abused that position, when I've been unfair. I think part of my job is to protect the customs and traditions of the House. If I find out a member is doing something that reflects negatively on the House, I inform the member of that perception, and try to get him or her to change."

Now the heavy eyebrows come together, the eyes become hard and the lips, thin.

"I'll tell you what's wrong with this place. What's wrong is that there has been such a large turnover (of members)," Papan says. 'The large turnover produces ineptness, brings people here who don't know about custom and tradition and who don't care about them."

In response to all this, no member of the Assembly questioned was willing to talk critically of Papan for the record.

"There's no way I can talk for attribution," a Republican Assembly member said. "He is the most vindictive person I've ever known. If I talk for the record, there are a hundred ways he can take it out on me."

"He makes life hell for people," a Democratic legislator said. "He takes everything so personally."

A Republican, told of Papan's assertion that he has never misused his position as Rules Committee chairman, said angrily (and anonymously), "On the contrary, he uses it (the chairmanship) as a personal power base from which he can bully members, even the members of his own party."

Papan is forever making unilateral decisions, the legislator adds, without ever bringing matters up before the full Rules Committee. "He gave a $21,000 consulting contract to a Democratic candidate last year without ever getting approval of the committee," the Republican charges. "No report or anything was ever produced; it was just a device to let the candidate campaign without having to work for a living.

"On the Capitol Gala, in meeting after meeting of the committee, he promised that not a dime of public money would be spent, but halfway through the planning period, when it became apparent the planners would need more money, he just put some of the gala employees on the Assembly payroll. He never put it before the Rules Committee.

"He never put before the Rules Committee the contract of Richie Ross (the former chief administrative officer of the Assembly who left last year to manage campaigns for Assembly Democratic candidates, then was given a $132,000 consulting contract). After a couple of months, after some newspaper reporters wrote about the contract, it was cut back. But the committee was never consulted."

Sacramento Bee reporter John Berthelsen wrote, in a 1979 story on Papan, about how San Diego Assemblyman Peter Chacon, a Democrat, voted against a proposal favored by Papan's ally, then-Speaker Leo McCarthy.

"After that happened," Berthelesen wrote, "a workman showed up in Chacon's office to measure the furniture. Asked by a nervous secretary what he was doing, the workman said Papan had told him to find out if the furniture would fit in a smaller office."

The list of complaints was run past Papan.

Entering into contracts with consultants, he said, is within his authority as Rules Committee chairman.

"The chairman has always had that authority. When a question was raised about it a couple of years ago, we asked the legislative counsel for an opinion, and he verified it. But just so there would be no doubt, a resolution was introduced and approved by the committee.

"Of course, only Democrats voted for it, I wouldn't try to mislead you. But the Democrats are the majority party."

Papan said the Democratic candidate who received the $21,000 contract was Gloria Molina who now represents the 56th District in Los Angeles. "She performed a study on Hispanic women in politics at the request of the speaker. There is a report in the speaker's office."

Censorship

One of the conflicts that did make it into print took place earlier this year between Papan and Assembly Republican leader Bob Naylor of Menlo Park.

Naylor, objecting to the hiring of an attorney, Joseph Remcho, to advise the Assembly on reapportionment, issued a press release contending that Remcho had been hired specifically to advise Democrats how to fight the reapportionment initiative then being circulated by Republican Assemblyman Don Sebastiani of Sonoma.

Papan, contending that the news release was "blatantly political" and "not in the best interests of the Assembly," blocked its distribution.

"This amounts to censorship," Naylor said angrily. The release was distributed to the press by his office staff.

More recently, Papan and Ross Johnson engaged in an exchange of vulgarities in the Rules Committee meeting room while a crowd of astounded reporters looked on, tape recorders recording.

No newspaper dared print the entire exchange, and only the most daring printed the following:

Papan to Johnson: "You're a drunk."

Johnson to Papan: "I'll be sober in the morning, and you'll still be an asshole."

The story that first brought Papan to prominence outside of his San Mateo County district occurred in March of 1974, when the 5-foot-11, ex-FBI agent sent Ken Meade to the hospital with one punch.

Meade, former back-up quarterback to Joe Kapp at the University of California, was a Berkeley assemblyman and chairman of the Transportation Committee. He got into an

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argument with Papan in his (Meade's) office, and made the mistake of throwing a cup of coffee in his visitor's face.

So far as his legislative program is concerned, Papan often charges forth in behalf of one special interest or another, causing some to suspect that campaign contributions loom large in his mind. But Papan says "no," contending that he seeks only to correct injustices wherever they may be found. A few years ago, for instance, he carried legislation to benefit a land developer in the Santa Monica Mountains of Los Angeles County, far from his district. Why? Because, he said, the California Coastal Commission, which regulates land use in the coastal zone, had been treating the developer unfairly.

An insurance broker and part owner of a small bank, Papan carried a bill a few years ago to prevent banks from selling insurance. The big banks, which wanted the measure, persuaded then-Governor Jerry Brown to veto it. But Papan pushed through an override, no simple thing to do. He also favors changing state law to allow out-of-state banks into California to compete with the locals, another situation that big banks have tried to prevent.

This year he put in a bill to give a special California license to a Swiss physician because, he said, the motives of the California Medical Association and the California Medical Quality Assurance Board in denying a license to the doctor were solely to keep competition away from doctors already licensed in the state.

Papan is also carrying a bill to override a local zoning law for the benefit of an influential newspaper publisher in his district. The publisher, who had fought his case to the supreme court and lost, says he, too, was treated unfairly.

Papan was born in Springfield, Massachusetts, on August 2, 1928, to John and Flora Papandricopoulos, both immigrants from Greece. "We were an old-country family," Papan says. "When my mother or my father told me to do something, I did it. I still do." His father is now 94; his mother, 75.

His father was a chef and his mother a seamstress, and although the family was never destitute, as so many other families were during the Depression years, neither was it wealthy, Papan recalls.

He says he remembers woolen sweaters being carefully unraveled and then knitted again to fit smaller members of the family. He remembers shining shoes while still a boy "and bringing home sometimes $15 a week, and in the Depression, that was a lot of money."

Some people seem to have a natural ability to make money, a great deal of money. Lou Papan is that kind of person.

"I started buying stock when I was 14," he recalled. "I bought phone company stock, some of it for $1.50 a share. After awhile, I was able to buy some telephone stock, I think for $31. I figured the telephone was going to be around awhile, and that more uses for it would be found. I did okay."

Papan worked his way through the University of Syracuse. He was an enlisted man in the Army during World War II and an officer in the Air Force during the Korean War. He became an FBI agent and was stationed in San Francisco. He liked that. He was transferred to Chicago. He didn't like that, and quit.

He returned to San Francisco, sold some stocks and bought a parking lot. He got into insurance and real estate. He did okay.

"Are you a millionaire?" he was asked.

"Oh yes," with a smile. "Several times over."

San Francisco Examiner reporter Gale Cook wrote a moving story in December of 1980 about the Papan family, revealing for the first time that Lou and Irene Papan had a 21-year-old son, John, who had suffered since three years of age with a mysterious degenerative malady. John was in his final days at the University of California Medical Center in San Francisco.

"Lou Papan sleeps on a cot in his son's hospital room many nights," Cook wrote. "On critical days, he has driven two or three round trips to the Bay Area to visit Johnny. To do that, he has to put the pedal to the floor."

He collected a number of speeding tickets from the California Highway Patrol during that time, not entirely a new experience for him. "I probably rate the 'Leadfoot Lou' label," he acknowledges. I do have a tendency to drive fast."

"In 1980 and '81," he recalls softly, "I put 40,000 miles on my car each year, most of it going to see John."

John died on April 7, 1981.

Papan, though, has continued to speed and generated some new publicity for himself recently by challenging the authority of a local police officer who stopped him. And, of course, he has not relented in his long-running battle against equipping the Highway Patrol with radar.

For the rest, Papan's wife, Irene, is better and has been in the Capitol with her husband this year. She is suffering from lupus erythematosus, and it was particularly severe in December of 1980, putting her into the same hospital as her son but unable to see him.

Papan was thought to be a certain candidate for Congress in 1979, after Leo Ryan was murdered in Guyana, but his family situation, he says, prevented his even considering the move.

Now, he says, he might contemplate running for statewide office should an attractive one become available.

"But it's not very important to me. I like what I'm doing, and I like where I'm doing it." And someday he may even be liked by those he is doing it to.

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Support grows for a once "unthinkable" idea

By ROBERT P. STUDER

He is articulate, handsome and charismatic. He is a media star, known and respected throughout the world as a man dedicated to helping the less fortunate. He is a Democrat, a veteran of more than 15 years' experience in an arena that requires more than a modicum of savvy — Chicago politics. He is a power broker within the party, an advisor to presidents, governors and the Congress. He is an acknowledged leader of a constituency that reaches into every state in the union.

He has nearly every credential to be considered a serious candidate for president of the United States. Every credential but one: The Reverend Jesse Jackson is not white.

Lacking that credential, should Jackson — or any black candidate — seek the presidency? That question, of course, is being debated across the nation. In California, a cross section of the state's black Democratic leaders has a mixed set of views.

Assembly Speaker Willie Brown of San Francisco doesn't think the country is ready yet for a minority presidential candidate. Brown would rather see blacks exert "strong leverage" in the selection of a Democratic candidate and "make sure the candidate's interests are as strongly dedicated as possible to those of the minority community."

Instead of fielding a black candidate, he says, blacks ought to try to capture control of as many state delegations as possible, and share power "once the swearing-in ceremony takes place."

Robert P. Studer is the Sacramento bureau chief for Copley News Service.

Brown, however, has already staked out a position in the 1984 Democratic presidential sweepstakes, having thrown his support to California Senator Alan Cranston. But his view on the timing of a black candidate is shared by several national black leaders, including NAACP head Benjamin Hooks and John Jacob, executive director of the National Urban League.

Negative impacts

Other black leaders, like Oakland Mayor Lionel Wilson, fear the impact of a black candidate on a national election.

"It would probably benefit Ronald Reagan, or any other Republican candidate," Wilson warns. "Whatever chance those who oppose Reagan's policies have would be deterred and minimized by the effect of a black candidate. I don't think the timing is right for such a move."

Wilson, too, has already endorsed a white Democratic candidate for 1984, former Vice President Walter Mondale.

Congressman Mervyn Dymally of Los Angeles, a former lieutenant governor of California, sees a black candidacy as "an opportunity" but likewise warns that "we must be careful that we do not destroy the major Democratic nominee in the course of critical campaigning."

Nevertheless, Dymally favors giving it a try this year and says he could support either Jackson or U.S. Congressman Walter Fauntroy of Washington, D.C.

For a variety of reasons, many other black politicians in California agree with Dymally. Assemblyman Elihu Harris of Oakland thinks a candidate with Jackson's stature can help overcome a major problem among blacks — voter apathy. "Jesse is inspirational, charismatic, and he has the capacity to bring crowds to their feet. He can convince people they should be voting."

If he convinced enough of them, many leaders believe, it could have a major impact on any presidential race. For example, the 1980 census lists 17 million blacks of voting age across the United States, about one million each in such key states as California, New York, Illinois and Texas. With significant black populations also in Michigan, Pennsylvania, Ohio and New Jersey, as many as 220 electoral votes could hinge on how — and if — blacks vote in 1984.

More than a tool

But state Senator Diane Watson of Los Angeles sees a black candidacy as more than building black voter registration. It could focus media attention on black issues such as enforcement of voting rights laws, affirmative action programs and this country's involvement with countries like South Africa that practice racial discrimination.

Watson warns, however, that such a candidacy might ruin the nomination chances of a Democratic candidate who would have the best chance of defeating Ronald Reagan by siphoning away black votes in the primary.

But Bishop H.H. Brookins of the African Methodist Church of Los Angeles discounts the warning.

"How can (a black candidacy) split the party when all we are talking about is running within the party?" he

continued on page 351

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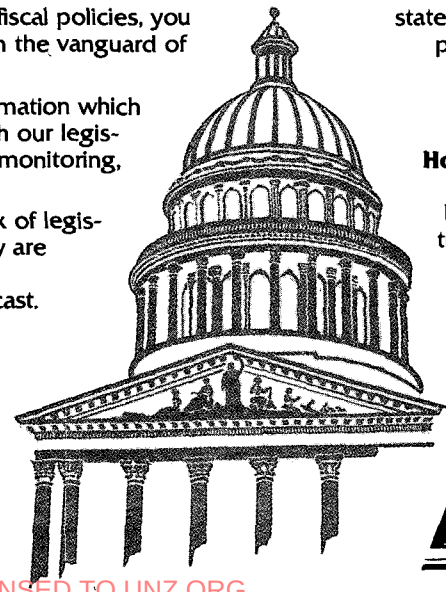

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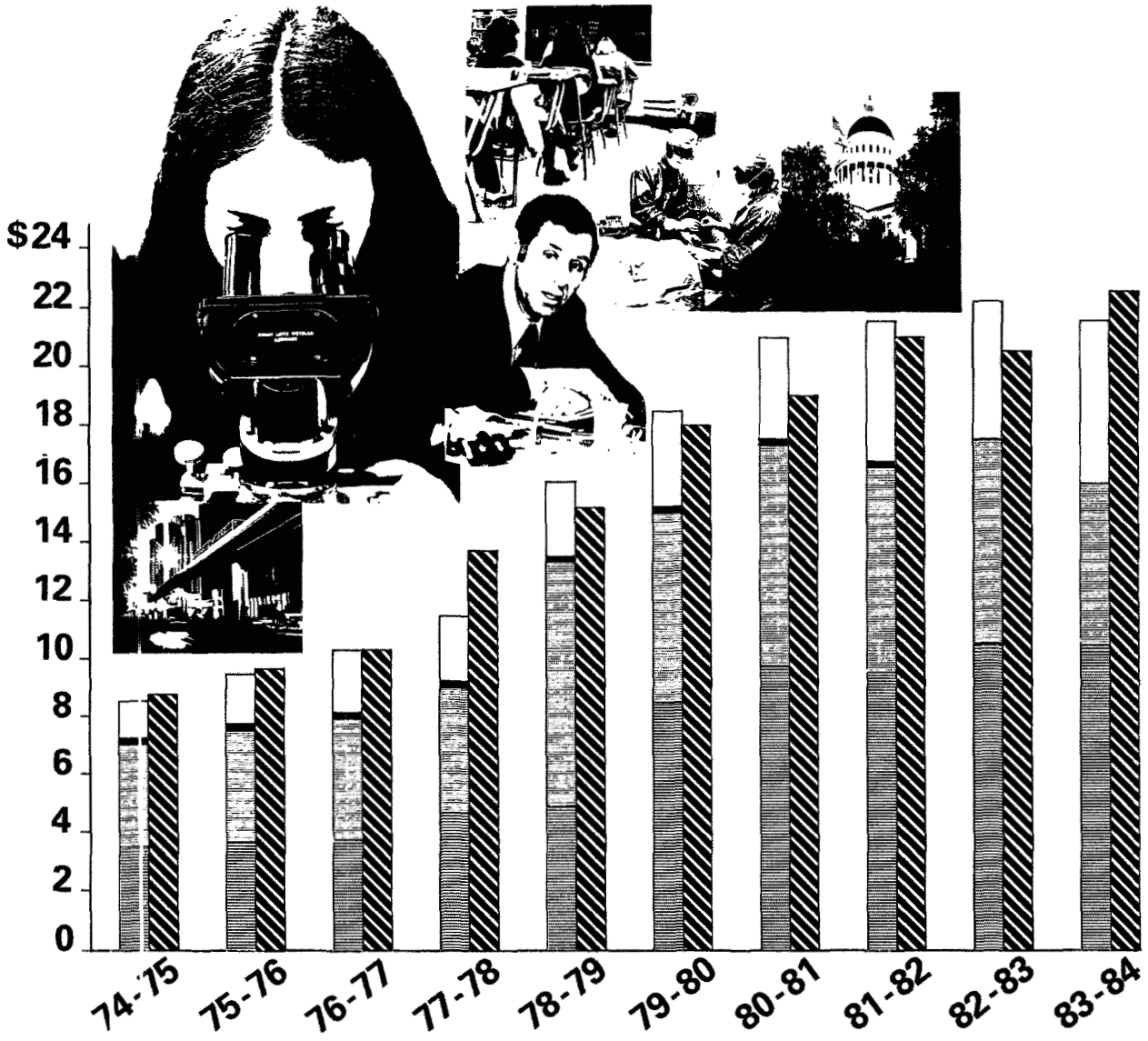
Special Section

THE BUDGET

California's spending program
1983-1984
including public
school finance and reform



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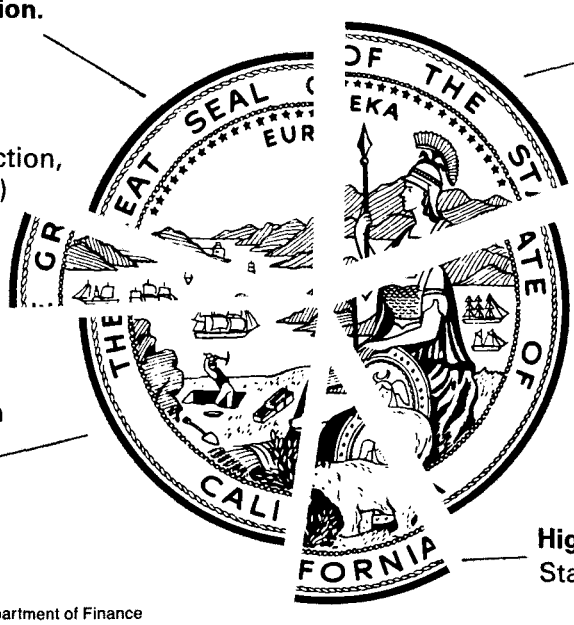
Total Budget $26 billion.

Health and Welfare (mental hospitals, public health, Medi-Cal, welfare aid, etc.) **$5 billion.**

Other (Including law enforcement, prisons, conservation and other programs.) **$5.2 billion**

Transportation (Highway construction, mass transit, Highway Patrol, etc.) **$1.6 billion**



Bailout (Additional state aid to cities, counties, public schools, community colleges and special districts that began after the 1978 Passage of Proposition 13. More than half the money goes to schools.) **$5.7 billion**

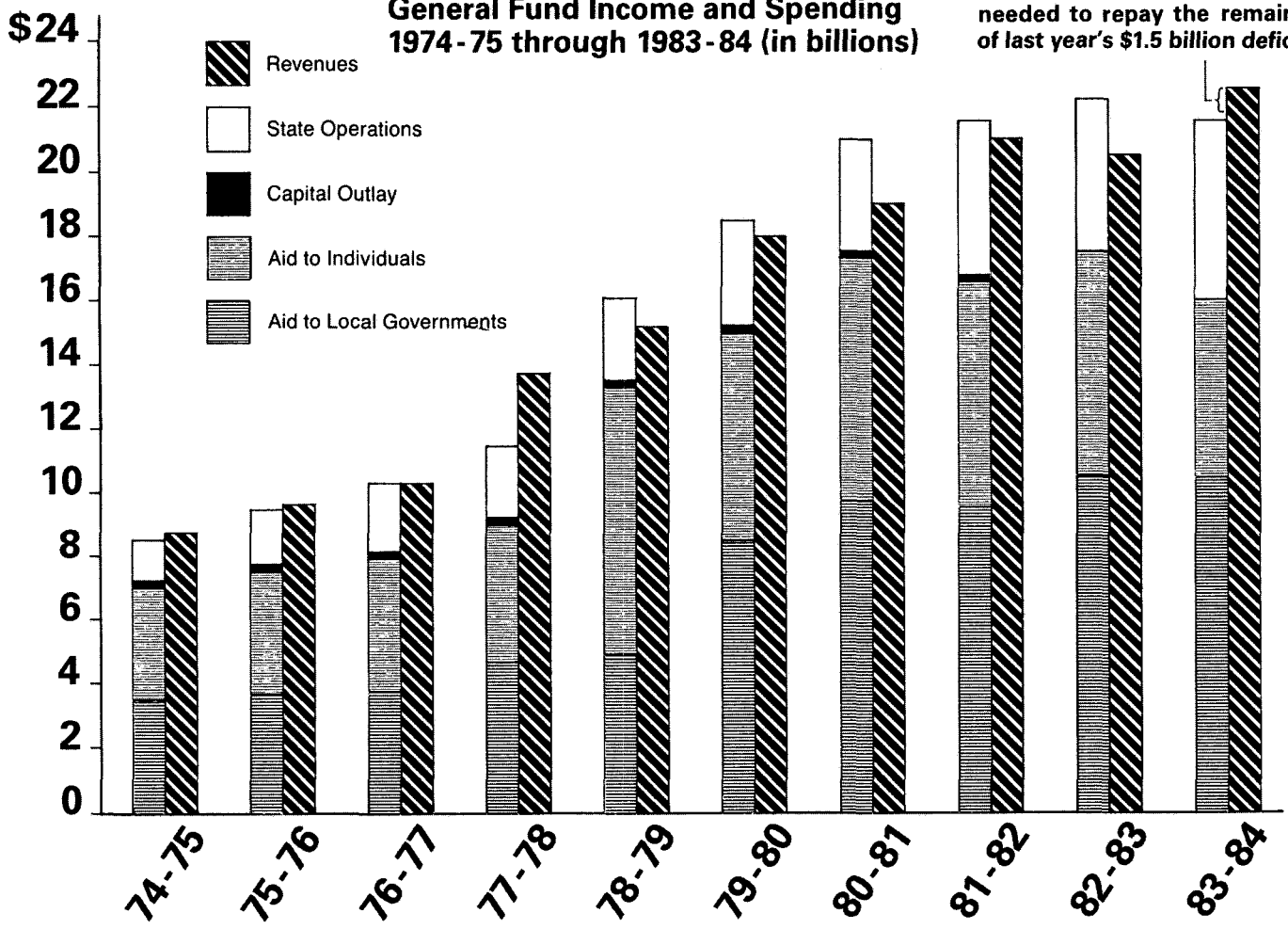
Public Schools (Kindergarten through 12th grade) **$5.7 billion.**

Higher Education (Community Colleges, State University, University of California) **$2.8 billion**

Charts by Chris Van Overloop Source: Department of Finance

General Fund Income and Spending 1974-75 through 1983-84 (in billions)

This amount, $663 million, needed to repay the remainder of last year's $1.5 billion deficit.



Source: Legislative Analyst

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A BUDGET OVERVIEW

By ROBERT FAIRBANKS

After more than seven months of partisan battling, the State of California on July 21st finally received a spending program for the new fiscal year. As usual, legislators ignored a constitutional requirement that they approve a budget by June 15th. But this time, they set a new record, not approving the bill until July 19th, three days longer than the 1980 delay. Meanwhile, thousands of state employees, welfare recipients, unemployed persons and others were forced to do without payments they had expected from the state. Eventually, court orders forced many payments to resume, but not until anguish was widespread.

Generally speaking, the spending plan, totalling $26 billion, carries forth the fiscal proposals that Governor George Deukmejian first laid out at the beginning of this year. The plan (contained in the budget bill itself, a companion measure and a public school bill) provides new money for public schools, repays the balance of a $1.5 billion deficit from last fiscal year and holds overall spending at last year's levels. When he signed the budget July 21st, Deukmejian contended that the spending plan also avoids a general tax increase, but that point is arguable (see box).

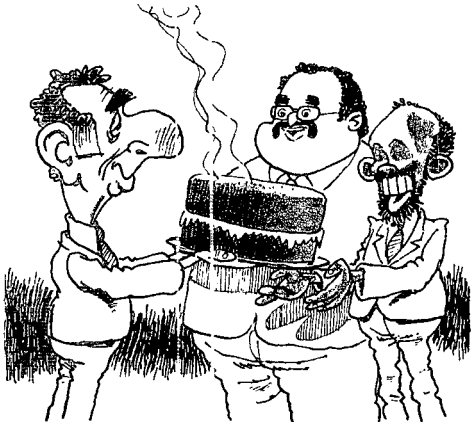
However, Deukmejian's most controversial action came just before he signed the budget bill, when he chopped some $1.3 billion from expenditures proposed by the Democratically dominated Legislature. The action drew a storm of protest from Democratic leaders. Senate President Pro Tem David Roberti, for instance, called Deukmejian's finance director, Michael Franchetti, a "Hun." Former Governor Pat Brown said Deukmejian's budget cuts were so radical that he (Brown) was thinking of organizing a Deukmejian recall.

But if recalls were on Pat Brown's mind, he should have been out organizing one last year against his son, Jerry, the then-governor. The fact is that Jerry Brown, Roberti and the Legislature's other Democratic leaders slashed at state government in 1982 the same way Deukmejian did this time, only a bit more harshly.

The Democratic action of 1982 is worth recalling if only because Democratic leaders have threatened to seek an override of Deukmejian's vetoes during the Legislature's fall session, meaning that the whole issue of who's doing harm and who's doing good to state government is likely to continue for some time.

For those who don't recall, the budget signed by former Governor Jerry Brown on June 30, 1982 cut state programs so severely that General Fund spending was to fall below the previous year's level for the first time since 1943. The proposed reduction of $120 million didn't happen because of unexpected costs generated by court decisions and the recession. But that was not the Democratic plan.

On the other hand, Deukmejian's budget (and this is after the vetoes) proposed a small increase over last year's spend-



GOVERNOR'S BUDGET REQUEST AS REVISED IN MAY

Expenditures (in millions)

General Fund	Special Funds	Selected Bond Funds	Total
$21,904	$3,393	$680	$25,977

BUDGET AS APPROVED BY THE LEGISLATURE JULY 19th

Expenditures (in millions)

General Fund	Special Funds	Selected Bond Funds	Total
$22,114	$4,596	$594	$27,304

VETOES BY THE GOVERNOR & OTHER CHANGES

General Fund	Special Funds	Selected Bond Funds	Total
−$1,122	−$537	—	−$1,659
323	—	—	323

FINAL BUDGET AS SIGNED BY THE GOVERNOR JULY 21st

Expenditures (in millions)

General Fund	Special Funds	Selected Bond Funds	Total
$21,315	$4,059	$594	$25,968

Note: these budget figures are from the office of Legislative Analyst William Hamm. The veto total, $1.659 billion, is reduced by a $323 million addition to the General Fund resulting from a new estimate of unidentified savings during the 1983-84 year and a transfer of vetoed Special Fund money to the General Fund.

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ing, $143 million. Granted, the difference between the two amounts, $243 million, is relatively small considering that both budgets called for a general fund expenditure in the $22 billion range, but exists nonetheless.

But the major difference lay in the politics of the times. Last year was an election year, and Democratic leaders were unwilling then to seek the tax increase they now want from Deukmejian. Thus, as soon as it became clear last year that a sagging economy would send Jerry Brown's proposed $27 billion budget (general fund, special fund and bonds) about $1.8 billion into the red, Democrats began making the necessary cuts. However, the work was spread over some six months of legislative process, leaving no single individual responsible. When it ended on June 30th, 1982, Brown signed the budget quickly, not changing a line.

This year, it's Republican Deukmejian who wants to avoid a tax increase, having declared often during his campaign that higher taxes were unnecessary. Thus, when presented with an out-of-balance $27.3 billion budget by the Legislature, there was nothing for him to do but list his spending cuts and take full responsibility for each. Whether he wished it or not, there was no place to hide.

Then, too, Deukmejian's budget cuts were much different from those made by Democrats last year. A year ago, cuts fell, for the most part, across the board. Specifically, Democrats denied cost-of-living increases to most state beneficiaries and programs. Although the cost of living had risen 10.9 percent during the previous year, state employees, welfare recipients and the public schools got the same money as before.

Deukmejian, on the other hand, was more specific. As he put it, he "prioritized," an unaesthetic word meaning that he whacked away at items he didn't like, or thought unnecessary, or both. The result was more than 350 separate spending item vetoes, cutting spending for everything from employee merit raises to public broadcasting to the Los Angeles County Fair.

Inevitably, Deukmejian's brand of budget-cutting draws more political heat than the Democratic variety. Victims are more identifiable, and therefore become more accessible for newspapers and the evening television news. But not even the most enterprising news reporter will ever know, for instance, how many students are receiving substandard instruction this year because Democrats caused good teachers to quit by denying them a pay raise.

Some persons contend that even if Deukmejian did no more than emulate Democrats, the impact of his cuts would be more severe because this is the second consecutive year in which

New State revenues

Although candidate Deukmejian said last year that higher state taxes were not necessary, Governor Deukmejian has signed a state spending plan for 1983-1984 that should generate $865 million in new state revenues. The money-raising provisions were part of the budget trailer bill and the public school finance/reform measure.

Granted, some of the revenue boosts are of the "loophole closing" variety that the governor himself proposed earlier and legitimately refuses to rank with a tax increase. Thus, for instance, the sales tax exemption for home video rentals is abolished. But what about the provision that will hold motor vehicle license fees at current levels for a year, rather than letting them decline as they ordinarily would? In this automobiling state, that clearly amounts to a general tax increase.

Deukmejian is not all he may seem in another area as well. Since taking office last January, he has complained often that Democrats kept state government going over recent years by digging into the state's surplus; that is, by spending more than was coming in. Thus, after signing his balanced budget, he boasted: "For the first time in five years in California, we will not be spending more than we collect in taxes. We will be living within our means."

However, one of his ways of living within means was not to pay an important bill. Among his $1.3 billion worth of general fund vetoes was deletion of the annual payment to the State Teachers Retirement Fund. The amount, $211.3 million, was one of the biggest items in his veto package. Sounding like the Democratic leaders of yore, who chipped away at the surplus in hopes that better days would arrive, Deukmejian in his veto message said, in effect, that he hopes this year's payment can be made in the future.

Following is a brief description of each new revenue provision and the amount it is expected to raise.

Trailer Bill

Motor vehicle license fees are set according to standardized vehicle values, which normally decline from year to year. This provision freezes values for one year at current levels. ($120 million)

Changes the method of adjusting income tax brackets for inflation. ($100 million)

Speeds collection of fuel taxes from gasoline and other motor vehicle fuel dealers. ($85 million)

Speeds collection, from large employers, of income taxes withheld from employee paychecks. ($80 million)

Reduces the income tax deduction for medical expenses to conform with 1982 federal change. ($65 million)

Reduces tax credits for various solar and other energy conservation devices, eliminates the credit for swimming pools and requires that credits claimed for systems installed between August 1st and December 31st of 1983 be taken over at least a two-year period. ($40 million)

Repeals the sales tax exemption for home movie video rentals. ($16 million)

Repeals the two-thirds sales tax exemption for food sold through vending machines and eliminates the exemption for vending sales of 15 cents or less. ($16 million)

Increases the state's horse racing tax by taking one percent more from the betting pools on such exotic races as exactas and daily doubles. ($9 million)

Repeals the income tax deduction for state and local taxes on gasoline, effective with the 1983 tax year. ($5 million)

Public School Finance/Reform

Currently, property tax assessments are established as of March 1st each year. Thus, a person who buys a home March 2nd does not pay a tax on the increased value for a full year. This provision would assess the new rate immediately on the change of ownership or date of new construction. ($234 million)

Brings state law into conformity with the Federal Tax Equity and Fiscal Responsibility Act of 1982 with respect to penalties for late reports and abusive tax shelters, handling of interest and property tax deductions during new construction, new limits on casualty deductions and tax treatments of corporate mergers and acquisitions. ($95 million)

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such cuts will occur. State government, they contend, can take one year of heavy cutting but not two. However, there are others who would argue that state government could survive additional cuts. Deukmejian's response has been that programs of importance (to him) are getting extra money this year (public schools, public safety and so on) so that the two-year pattern does not exist.

But despite all such arguments over his actions during the protracted struggle, Deukmejian appeared to come out of it with fewer scars than the Legislature's Democratic leaders, Roberti and Assembly Speaker Willie Brown. By delaying passage of the budget until July 19th, largely because of their unsuccessful effort to block a December election on the Sebastiani reapportionment plan (see Capitol Notes, *CJ*, July 1983), they drew considerable criticism on themselves.

Legislative Analyst William Hamm estimated that the state would end the 1983-1984 year with a thin, $314 million surplus in its General Fund. (Revenues in the General Fund may finance any state operation. Special Fund monies are earmarked for specific purposes, such as highway construction.) If the surplus holds, the state will avoid a one-cent sales tax increase next February.

The possible increase results from last February's "trigger" agreement between Deukmejian and Democratic leaders. In return for allowing the governor to repay part of last year's deficit in the current year, Democratic leaders won legislation to trigger the sales tax boost if it appeared that current year revenues would be insufficient to repay the deficit and maintain current programs. The tax takes effect if the year end surplus is expected to go below $100 million.

For a more specific discussion of major programs, see following stories.

DEUKMEJIAN'S BLUE-PENCIL VETOES

Of all his actions during eight months as governor, none has been more controversial than George Deukmejian's fiscal vetoes. In all, he cut some $1.3 billion from the Legislature's $27.3 billion spending program for 1983-1984. And yet, no action was better forecast. Knowing that he might have to veto between $1 billion and $2 billion worth of proposed spending, and fearful of being cast as a latter-day Scrooge, Deukmejian had been laying the groundwork since June 1st. (See Stumping for the Budget, *CJ*, July 1983). In speeches, talk shows, and news conferences, he painted the glories of living within one's means (improved business climate) and indicated that he would use his veto to see that the state did so.

Still, even knowing that the governor would veto was not the same as suddenly discovering that one's own program, or job, or salary increase had been chopped. Thus, the outrage and shock. On August 16th, for instance, the day after the Legislature returned from its summer recess, there were noontime protest rallies on three sides of the Capitol: state employees, social workers and representatives of local government. Nevertheless, chances of overturning the veto of any item ranged from none to slim. With a two-thirds majority needed in both the Senate and Assembly, an override would require Republican support, which GOP members in the lower house, at least, declared they would not give.

Because Deukmejian vetoed more than 350 separate spending items, it's difficult to fit them into a neat pattern. However, he clearly went after agencies and programs that he's been criticizing more or less continuously since the beginning of his campaign for governor in 1982. The Agricultural Labor Relations Board, for instance, took a $2.5 million cut from the $9.5 million that the Legislature wanted to spend. The board, which adjudicates farm labor disputes, has been said by Deukmejian and his grower allies to be biased in favor of Cesar Chavez's United Farm Workers.

Deukmejian also has been critical of environmental control programs, contending that they stand in the way of growth and development, or saddle business with unnecessary regulations. Thus, the California Coastal Commission, which voters created in 1972 to control coastal access and construction, lost $1.5 million from the Legislature's proposed $7.7 million. Similarly, the Energy Resources Conservation and Development Commission, which regulates various forms of energy use, saw its $31.4 million legislative appropriation cut by $12.6 million.

One way to measure Deukmejian's intentions is to see which state agencies and programs lost the greatest number of employees. In a detailed report to the Legislature covering the budget and the governor's vetoes, Legislative Analyst William Hamm showed that the vetoes cut 1133 full-time positions from the approximately 234,000 state jobs that had been authorized by the Legislature's budget version.

The report indicated that the biggest single reduction occurred in the Department of Industrial Relations, which enforces state laws concerning job safety and workers' rights. It lost 185 positions. The next biggest cut, 181 positions, was made in various agencies that regulate and protect the state's natural resources.

Given Deukmejian's tough law-and-order views, the next batch of personnel cuts are initially surprising. According to the report, the Department of Corrections, which runs the state's prison system, lost 167 positions, and the Department of the Youth Authority, which runs lockups for younger criminals, lost 102. However, the report indicated that none of the cuts affected guard or security forces. The reductions were in counseling, instruction, parole and administrative personnel.

Deukmejian's vetoes also cut 74 positions from the state Public Defenders office, reducing its staff about half. Deukmejian has said often that private, court-appointed attorneys can protect indigent defendants at lower cost.

Another effect of the personnel cuts, said the Analyst's report, was to reduce the overall number of state jobs for the first time in at least six years. The number authorized for the current fiscal year is 233,060, slightly less than last year's 233,387. In 1977-78, just before the passage of Proposition 13, the state had 221,341 full time positions.

Concerning state employees, their protests have been aimed at one of Deukmejian's biggest single cuts: the $98.1 million that reduces their salary increase this year from the average eight percent proposed by the Legislature to an average five percent. About half the employees were also scheduled to receive merit raises this year, but Deukmejian vetoed $38.5 million for them. In his veto message, he said the raises — which are usually granted routinely according to years on the job — should be funded by each state agency from whatever "existing resources" it may have.

Among those most shocked by the governor's vetoes was reporter Mark Vandervelden of California Public Radio, who was covering Deukmejian's announcement July 21st when he discovered that his own job had been wiped out. Unexpectedly, Deukmejian had cut $2.1 million from the California Public Broadcasting Commission, which paid Vandervelden's salary. The governor left the agency only $217,000 to close down its operations. Midway through the conference, with Deukmejian at the podium, Vandervelden left. "It's like covering your own funeral," he said.

For additional details on the vetoes, see other stories.

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EDUCATION

By MICHAEL FALLON

Of all the elements to emerge from the 1983 budget fight, none may prove more important over the years than public school reform. Like Siamese twins, school reform and the budget were inseparable this year, tied together by politics and economics.

Convinced finally that something must be done to improve student achievement, particularly in math and science, and to discipline lax or incompetent teachers, lawmakers were ready early this year with a host of school improvement bills. However, the politically powerful teacher unions stood ready to block such legislation, or most of it, unless they were assured of getting the wherewithal for a substantial teacher pay hike; that is, a substantial increase in state aid to schools.

But such an increase (initial talk was in the $1.2 billion range) meant either higher taxes, which the governor opposed, or radical cuts in other state spending, which Democrats disliked. The result was a compromise that provides an additional $800 million for schools this fiscal year and inaugurates a sweeping package of reforms.

"Sweeping" is a journalistic term, but the California bill clearly sweeps — as well as mops, dusts and skirts — around issues as diverse as tougher student standards and easier teacher layoffs, merit pay and student discipline, year-round schools, bus purchases and bilingual education.

Among 80 changes broadly described as reforms, the bill reimposes statewide high school graduation requirements and proposes a longer school day and year. It establishes a "mentor" teacher program, a modified form of merit pay. It allows school districts to use local standards to dismiss probationary teachers during their first two years of employment, makes inroads into teacher seniority protection and requires that new teachers take 150 hours of continuing education every five years to maintain their credential.

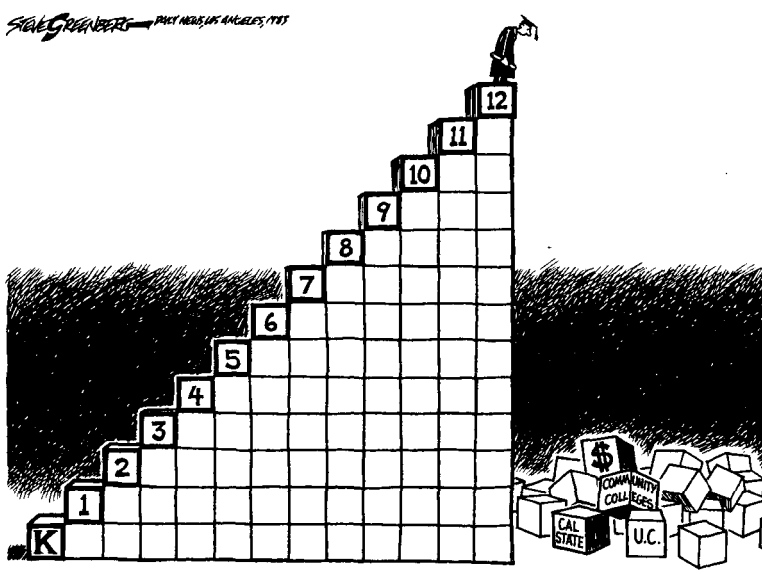
Michael Kirst, a Stanford University education professor and former president of the state Board of Education, finds "a whole new agenda" in the California reform legislation, but he cautions that the large number of reforms does not represent a careful sifting of priorities nor an analysis of what could be implemented. "Almost any idea that had merit was included in the bill," he says. "I'm worried about overwhelming schools with too many reforms they can't handle."

After the 490-page, two-volume bill emerged from a six-month cobweb of negotiations, Capitol observers gave special credit for keeping the fragile talks alive to two state senators — Republican John Seymour of Anaheim, a newcomer to education, and Democrat Gary Hart of Santa Barbara, the bill's chief author who kept lines open both to Republicans and to his own party's freer-spending legislators and their teachers' union allies.

Deukmejian, given his no-tax-increase stance, made a substantial concession in boosting an original offer of $350 million in additional state school aid to $800 million. That represents an eight percent increase for schools above the $10 billion they received in 1982-1983 and a marked departure from the low priority assigned to school funding in recent years. In return, Deukmejian obtained changes in the bill to require continuing education for all new teachers as a condition for keeping their license, to allow teachers to be laid off as late as August 15th under certain circumstances, and to reduce the pay given laid-off teachers working as substitutes.

The governor vetoed from the bill the entire $1.9 billion that had been proposed for 1984-1985 which included allocation of the $800 million from 1983-1984, $500 million to implement such reforms as the longer school year and $600 million for a cost-of-living increase. While committed to providing at least an additional $800 million, he said, "Prudent management requires that we make decisions on augmentations to this funding for 1984-1985 during next year's budget deliberations."

Deukmejian's action raises doubts that school districts will be able to meet an important provision of the bill and offer summer classes next year in math, science and "other critical academic areas." If history repeats itself, summer sessions will



Michael Fallon, an education reporter for the Sacramento Union, *wrote "Challenge for the community colleges" for the March 1983 issue of* California Journal.

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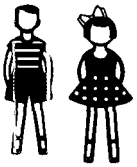

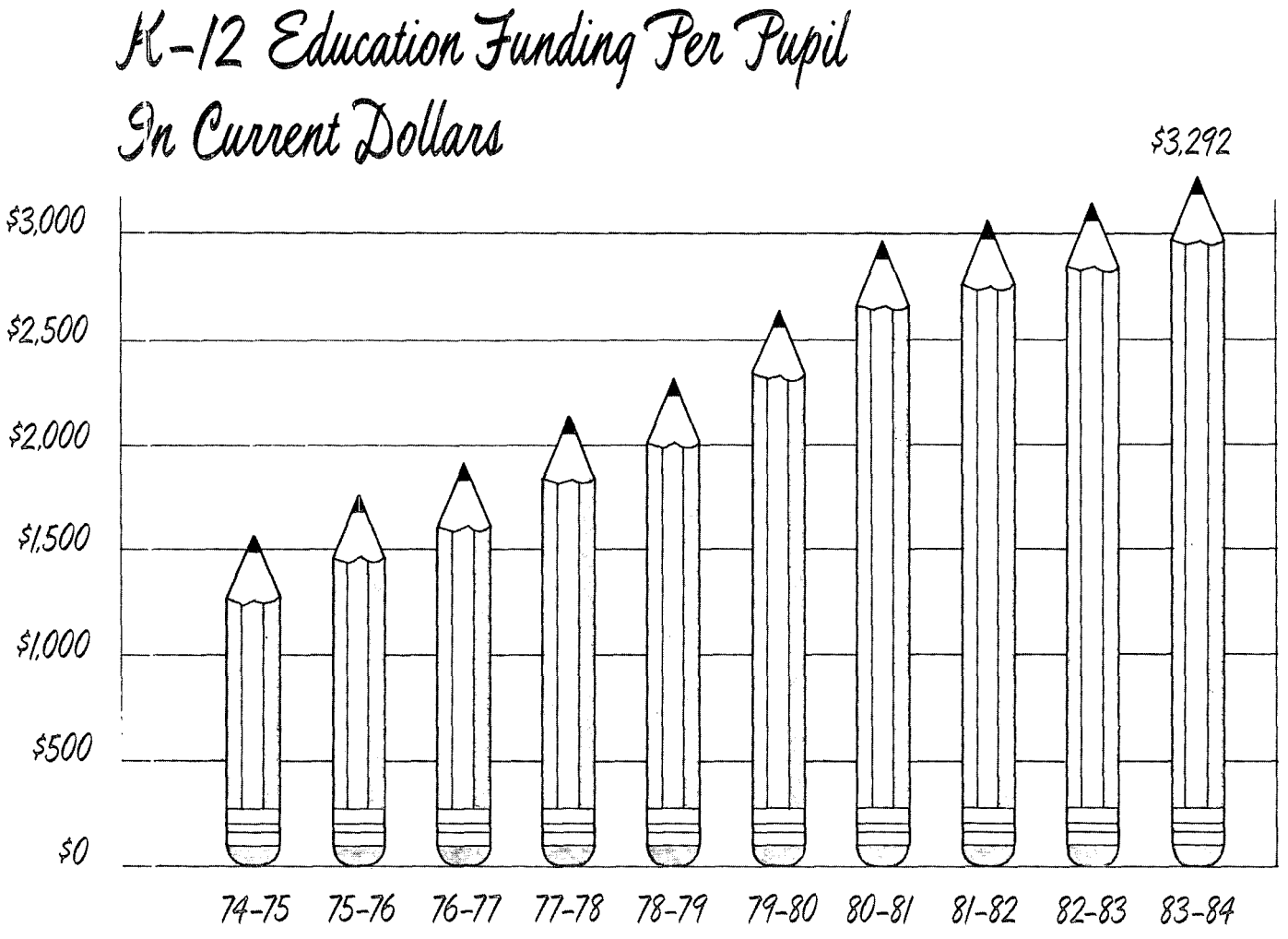

be well under way before the Legislature adopts a 1984-1985 state budget.

Hart, a former high school teacher, realistically accepts the fact that even a landmark education bill will not transform schools overnight. "We're making an effort to strengthen academic standards. That's sometimes difficult to do in a state law," he said. Even with "long overdue" provisions — like the one that would make it easier to dismiss incompetent teachers — Hart believes that "you won't see changes until you get better administrators and train them to evaluate." Under his bill, this training would begin with a $500,000 appropriation in 1984-85.

For Hart, a promising feature of the bill is the establishment of a "mentor" teacher program. At his urging, teachers will have the decisive vote in selecting colleagues they consider outstanding to work as mentors with beginning instructors and for curriculum development. Mentors will receive a stipend of up to $4,000 annually for the additional duties. "California is the first state that's really trying some version of merit pay," Hart said. "In a sense, it's an exciting experiment. I don't know if it's going to work, but it deserves a chance."

Hart is also enthusiastic about a proposal introduced by his principal co-author, Democratic Assemblywoman Teresa Hughes of Los Angeles. It institutes challenging "Golden State" achievement tests available on a voluntary basis to high school seniors who seek honors at graduation. "It's an incentive to the academically able," Hart said.

A prominent figure in the Hughes-Hart Educational Reform Act of 1983, state Superintendent of Public Instruction Bill Honig earned high marks for his tireless campaign to enlist support for the finance-reform package, particularly in the business community. However, Honig suffered wounds which may reopen in the Democrat-dominated Legislature because he suddenly shifted from attacking the Republican governor to privately negotiating with him. "You pay a price to maintain your independence," Honig says. "Right from the start, we tried to make it bipartisan."

As Honig assesses the bill: "It sets the stage for takeoff in public schools. It gives the resources necessary so that the momentum at the local level can continue."

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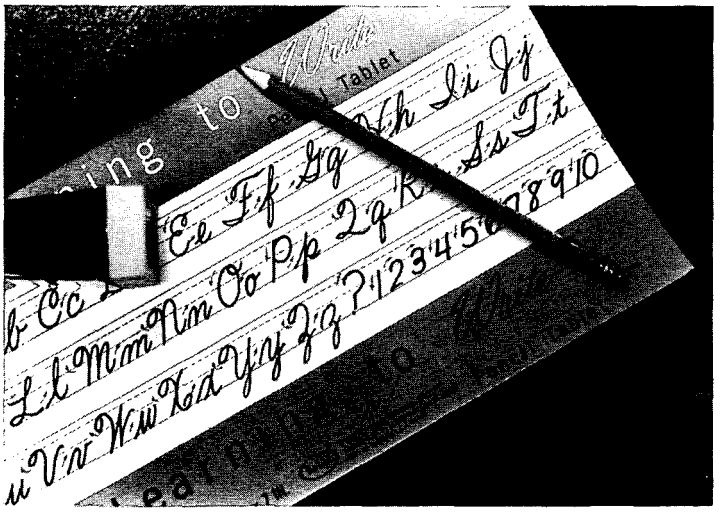
The complete profile of education reform



Graduation requirements

- Mandates that all high school students have three years of English; two years of math; two years of science; three years of social science, to include United States and world history and culture, economics, geography, American government and civics; and one year of fine arts or foreign language. Requirements to take effect for the graduating class of 1987. Superintendent of public instruction will develop a model curricular program and specific competency standards for students in each mandated course. (Although many school districts have taken the initiative to strengthen local requirements, California has had no statewide graduation requirements since 1969.)

Curricula

- Requires the superintendent of public instruction and state Board of Education to develop a course in computer literacy.
- Requires secondary schools to offer courses that meet university admission prerequisites and to provide other courses that give students entry-level employment skills.
- Requires the state Board of Education to prepare two examinations for later inclusion in voluntarily taken "Golden State" high-achievement tests, to enable high school seniors to try for honors at graduation. ($100,000, 1983-84)
- Provides for summer school classes in math, science and other critical academic fields and sets aside funds for teacher training and retraining. ($40 million, 1984-85)
- Increases funds for textbooks in grades K-8 to $21.18 per pupil and provides first-ever funding for texts in grades 9-12, at $14.41 per pupil. ($35.9 million, 1983-84)
- Provides mini-grants up to $2,000 to teachers for projects to improve classroom instruction. ($18 million, 1984-85)
- Launches a pilot program to award financial bonuses to high schools that voluntarily participate in a new Education Improvement Incentive Program and that demonstrate improved student performance on basic-skills achievement tests. ($7 million, 1984-85)
- Expands state achievement test program in reading, language and math to include grade 8 (with declaration of legislative intent to add grade 10, other academic subjects and higher-level analytical skills). ($250,000, 1983-84)
- Requires superintendent of public instruction to report to Legislature in November 1983 on feasibility of studying the effectiveness of current high school accreditation programs.

The school day

- Gives fiscal incentives to school districts to extend school year from 175 to 180 days; lengthens school day, ensuring a six-period high school day; and prohibits any reduction of instructional time below 1982-83 levels — a response to studies indicating California students have less instructional time than national average, particularly in primary grades. ($256 million, 1984-85)

Teachers and administrators

- Requires persons obtaining a teaching credential after September 1985 to complete 150 hours of continuing education every five years in order to maintain credential.
- Establishes teacher "mentor" program — a modified form of merit pay that gives an annual stipend of up to $4,000 to outstanding teachers who agree to help new instructors and to develop curriculum. ($10.5 million, 1983-84)
- Allows high schools to hire teacher-trainees who have not taken graduate courses in education provided they have a bachelor's degree, pass basic-skills and subject-matter exams, receive assistance from a mentor and prepare an individualized training program.
- Boosts entry-level teachers' salaries by 30 percent over three years, to an annual minimum of $18,000 adjusted by inflation. ($12 million, 1983-84)
- Allows local collective bargaining for additional teacher pay based on factors other than years of service and continuing education.
- Expands teachers' continuing education for regional teacher education and computer centers, emphasizing math, science and computer education. ($5 million, 1984-85)
- Expresses a legislative intent that college and university professors who train teachers teach in public elementary or secondary schools and classrooms at least once every three years.
- Gives state Student Aid Commission administrative funds for development of a loan-forgiveness program to encourage that college students become secondary teachers in math, science and other high-demand fields. ($100,000, 1983-84)
- Provides training programs chiefly designed to improve principals' abilities to evaluate and assist teachers. ($500,000, 1984-85)
- Establishes pilot projects in county offices of education to assist districts in recruiting and selecting administrators. (Funded through the state budget)
- Gives districts discretion, based on local standards, to dismiss probationary teachers during first two years of employment.
- Allows school boards to disregard seniority in teacher layoffs if they can demonstrate a specific need for a course that a less-senior instructor has special training and experience to teach.
- Allows districts to lay off teachers when changes in state law modify curriculum.
- Permits districts to lay off teachers as late as August 15th if they receive less than a two percent increase in per-pupil revenue. Current law sets layoff notice deadlines in March and May and does not allow "lack of funds" as justification.
- Reduces from 90- to 45-days notice to teachers charged with un-

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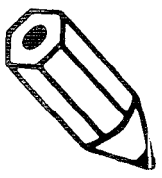
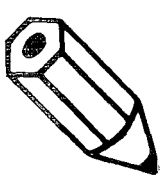
professional conduct and deletes the requirement for prior-semester notice to teachers charged with unprofessional conduct or incompetence.
- Limits defendant-employee's evidentiary discovery period to 30 days after employee is notified of accusations, and provides that non-substantive procedural errors will not reverse decisions in teacher layoffs or dismissals.
- Allows local boards to seek intermediate sanction, such as suspension without pay, for permanent or probationary teachers at hearing of local three-member commissions on professional competence.
- Reduces notice for dismissal or reassignment of district-level administrators from six months to 45 days.
- Allows districts to require continuing education for teachers who receive negative evaluations.
- Permits districts to pay laid-off teachers used as substitutes at substitute rate if they teach less than 20 days in any given 60 day period; after 20 days, pay returns to what teachers would normally receive if reappointed to full-time employment.
- Requires subject-matter competency tests for all teachers and administrators reassigned to teaching if they do not have credential or college major in the appropriate subject.
- Prohibits administrators from accumulating seniority as teachers, with exception that principals may acquire up to three years' worth.
- Exempts from permanent status non-certified employees designated senior managers.
- Requires local boards by December 1984 to establish policies to certify administrator competence to evaluate teachers, meet needs of new teachers for training and handle parent complaints.
- Authorizes districts to establish innovative local experiments to streamline personnel and management practices, improve district efficiency and give incentives for service in high-demand subject areas or geographic areas. (Marginal costs, to be funded from state budget)

New school programs



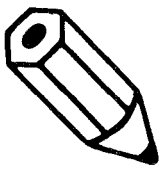
- Creates the California Academic Partnership Program to be administered by California State University and provides grants to colleges and universities that assist junior and senior high schools with counseling, tutoring and curriculum development. ($1 million, 1984-85)
- Develops specialized high schools in high technology and performing arts to provide models for other schools throughout state. ($2 million, 1984-85)
- Strengthens academic and career counseling and requires that all 10th grade students receive a review of their school records and an appraisal of educational options. ($6 million, 1983-84)
- Requires continuation high schools to keep drop-out records and to offer job-orientation programs as well as academic classes.
- Increases "opportunity" classes and schools for problem students in grades 7 to 9. ($4 million, 1984-85)
- Requires regional occupational programs and centers to provide additional funding for youth job training.
- Requires review of apprenticeship programs by the superintendent of public instruction and community colleges' chancellor and makes several changes in the funding of these programs.
- Requires superintendent of public instruction to develop a study of characteristics of students who drop out of school before graduating from high school.

Special programs



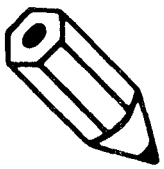
- Expands local district authority to use categorical aid for educationally disadvantaged children on a school-wide basis.
- Requires that 85 percent of categorial funds go to direct services for students.
- Simplifies and equalizes funding for the state School Improvement Program and allows the superintendent of public instruction to waive planning requirements. ($10 million, 1984-85)
- Requires maintenance of state economic-impact aid funding to disadvantaged secondary schools and allows waivers of education code laws or regulations in order to improve pupil services in schools receiving funds.
- Allows high school districts and feeder elementary schools to be considered "unified" to qualify for state urban-impact aid. ($9 million, 1984-85)
- Provides a cost-of-living increase of eight percent for special education programs for handicapped children. (Included in a $92.5 million appropriation for categorical programs, 1983-84)
- Revises and clarifies formula for funding adult education programs and provides a six percent cost-of-living increase. ($7.6 million, 1983-84)
- Consolidates regular and special education transportation programs and speeds up state reimbursement to districts. (1984-85)
- Provides funding for replacement of unsafe school buses for small rural school districts. ($1 million, 1983-84)
- Postpones sunset date for adult education until June 30, 1986, and extends indefinitely sunset dates for driver training, environmental education, career guidance centers and transportation.
- Provides state funds for equipment and capital outlay for agricultural vocational education programs. ($3 million, 1983-84)

Discipline



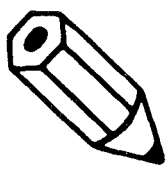
- Provides mandatory expulsion or suspension of students for serious violations such as weapons possession, drug sales and robbery, and increases the number of administrators who may suspend them.
- Prohibits students suspended from one class from placement in another and requires supervision by appropriate school employees when suspended students remain on school grounds.
- Gives teachers authority to require suspended students to make up work and requires districts to adopt policies so that teachers may fail students for excessive absences.
- Permits use of written testimony at expulsion hearings when witnesses fear harm.
- Requires notification to parents of truant students that parents may be in violation of law.
- Requires districts to adopt policies on student promotion and retention.

State-local issues



- Requires the superintendent of public instruction to review all state program guidelines for clarity, necessity and legal authority, and to inform districts that guidelines are not mandates.
- Creates a temporary state Commission on School Governance and Management to study duplication between regional and state agencies, optimal size of school districts and growth in number of non-teaching employees and to report to the Legislature before October 1, 1984.
- Includes language to place on June 1984 primary ballot a proposed constitutional amendment to establish an education trust fund to provide stability for school financial planning. (ACA 44 authored by Republican Assemblyman Robert Naylor of San Carlos)

School facilities



- Provides fiscal incentives to encourage year-round use of schools to save state capital outlay costs. ($7.5 million, 1984-85)
- Provides that districts applying for state school construction money be required to develop a five-year plan for facility needs; requires districts with vacant schools to make first offer of use of schools to adjacent districts that are overcrowded; and permits inter-governmental agreements for joint use of facilities.
- Reduces some matching-fund requirements for districts when portable buildings are purchased.
- Provides for continued appropriation of state School Deferred Maintenance Fund.
- Allows districts to use lease proceeds from surplus property for routine repair of buildings.
- Requires state Department of Education to study the feasibility of an automated-facility inventory and architectural-design standards and materials for school facilities.

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HIGHER EDUCATION

By PATRICK M. CALLAN

As with all state agencies dependent on General Fund support, higher education — University of California, California State University and community colleges — was caught in the crossfire between a governor determined to pay off the state's deficit without a tax increase, and a Legislature equally as determined to preserve those programs which it viewed essential. The result was a budget ballooned by the Legislature only to be punctured by the governor's veto actions. Political compromise was in short supply.

All three units of higher education submitted budget requests last year which were subsequently squeezed, stretched, and massaged by lawmakers only to be subjected to the instant austerity of the governor's blue pencil. A look at Table 1 traces the path of each request through the budgetary gauntlet.

The post-veto figures show that higher education bore the brunt of the governor's $1.3 billion in vetoes, absorbing some 34 percent of the total excised from this year's spending plan. However, fallout from the governor's cuts did not settle evenly over the landscape of higher education.

The University of California managed to emerge from this year's budget war bruised and battered but still intact. Of the $175 million which the budget process extracted from the UC's original request of $1.23 billion, $101 million represented the state's contribution to the UC retirement system. Neither the governor nor the Legislature felt that the system needed to be funded at a full 100 percent of its liabilities. (By contrast, the Public Employees Retirement System is funded at only 59 percent of its total liabilities.)

In addition, gubernatorial vetoes trimmed $50.5 million from UC's operations budget, $16.4 million from salaries and benefits, and $1.7 million from the building program. There was also a $14.7 million cut in student services expenditures which the governor intended to be offset by student fee increases. The Board of Regents had authorized fee increases in March in anticipation of the governor's action.

On the plus side, the university's budget for 1983-1984 contains a small net increase of 5.7 percent over the 1982-1983 budget for support of instructional programs. In addition, the $49.6 million for salaries and benefits approved by the governor equates to an average five percent increase for the entire year. However, the total dollar level for UC's 1983-1984 budget is about two percent less than the 1982-1983 level. In sum, while this could not, by any stretch of the imagination, be considered a good year for UC, it brings no immediate threat of curtailing programs or denying access to qualified students. William Fretter, a vice president of the university, says the system will be able to "survive one more year," although "the quality of the university, and student accessibility, are now at risk."

By contrast, the California State University budget for 1983-1984 suffered severe reductions in funding which could only be recouped through a drastic increase in student fees. Even after imposing an average fee increase of $230 per year on CSU students, the system still finds itself some $27 million short of its budget request. The governor's blue pencil accounted for $85.5 million in reductions to a budget which had already been reduced by $41.2 million in the Legislature.

Patrick M. Callan is director of the California Postsecondary Education Commission.

Program reductions came principally in the area of new initiatives in high technology. Like UC, CSU suffered slashes in funding for cost increases, deferred maintenance, and building. Late in July, the CSU Board of Trustees met and approved the fee increases dictated by Governor Deukmejian's vetos. Student fee increases were particulary onerous at CSU because they came on the heels of large increases in the previous three years. CSU students now pay 209 percent more for their education than they did in 1980-1981.

On a more positive note, CSU's share of the governor's employee compensation package amounts to $42.1 million. When this total is included in CSU's operating budget, the system shows a slight increase (4.8 percent) over the 1982-1983 total spending level. All things considered, UC and CSU did considerably better than the community colleges.

Not since Proposition 13, when they suffered an eight percent decline in funding and lost some 160,000 students, have community colleges absorbed such a major shock to their system as that brought on by this year's gubernatorial vetoes. The Legislature presented the governor with a budget which fully funded the new community college finance legislation, including money for inflation, equalization, and growth. When the governor finished removing $230 million from that budget, the only section of the new finance legislation that had any relevance was the deficit-financing mechanism. The governor's vetoes left the system 7.2 percent below its 1982-1983 funding level, although if the governor's request for a $100 fee is implemented, last year's level may be regained.

While the governor and the Legislature battle over the question of adequate support for community colleges, individual districts, many of which began enrolling students in August, are faced with the prospect of eliminating classes and turning away large numbers of students. Whether the combatants can reach some compromise now appears to be tied to the outcome of another fight involving funding for cities and counties. This muddled picture can only be cleared by action during the Legislature's fall session, which is to end September 15th. In the interim, community colleges are faced with monumental uncertainty and confusion.

Meanwhile, dominating debate over support for higher education is the perennial problem of student fees. The chairs of the fiscal committees in both houses, Democrats Al Alquist on the Senate side and John Vasconcellos or the Assembly, led the fight to roll back fee increases at the California State University and the University of California and to prevent the imposition of a $100 first-time-ever fee at community colleges. For his part, Governor Deukmejian seems determined to see fee levels approach those found in other states, arguing that in the case of the community colleges, California now charges

Higher Education Budgets for 1983-84: General Funds Only

(in thousands of dollars)

Segment	Initial Budget Request	Governor's Budget as Introduced Jan. '83	Budget Bill Passed by Legislature	Final Budget After Vetoes
California Community Colleges[a]	1,256,816	926,251	1,198,624	966,925
California State University[b]	1,032,473	914,570	988,318	906,055
University of California[c]	1,231,300	1,181,113	1,123,323	1,056,639

a. These figures do not include property tax support for Community colleges estimated to be $380.6 million in 1983-84.
b. This amount does *not* include the $42 million pr-rata share of the Governor's employee compensation package for CSU.
c. The $46.2 million in employee compensation for UC not included in this figure.

Source: California Postsecondary Education Commission

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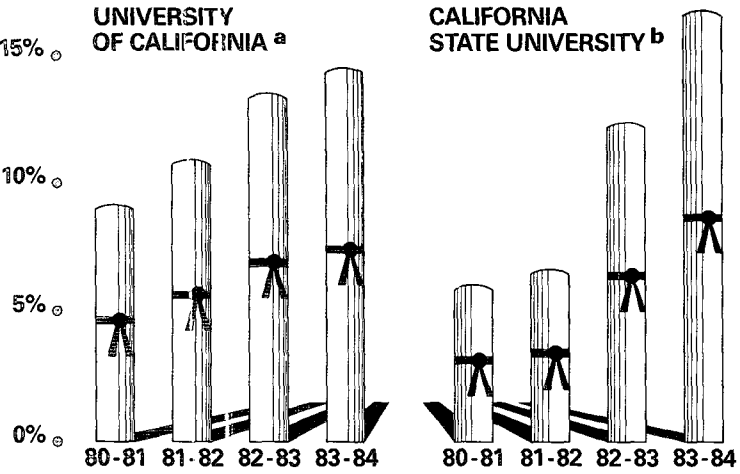
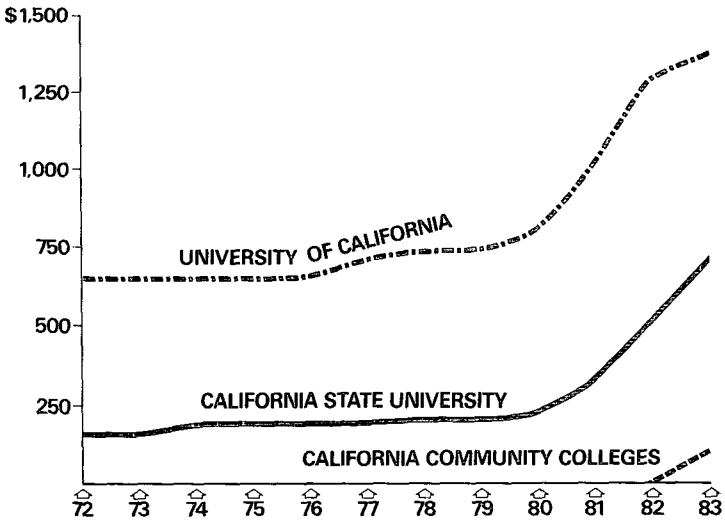
Student fees expressed as a percentage of state General Fund support



a. Includes the Educational Fee, the Registration Fee, and an average of miscellaneous charges.
b. Includes the Student Services Fee and the State University Fee.

Required fees for undergraduate students in California public institutions, 1972-73 through 1982-83 and proposed through 1983-84



Source: California Postsecondary Education Commission

nothing for educational opportunities which in other states average $500 per year. It must be noted that even if student fees were imposed, postsecondary education as a whole would still be substantially underfunded. The histrionics and hyperbole surrounding the question of "tuition" for California students have effectively prevented the emergence of any coherent policy on the appropriate level of fees or method of determining the student's fair share of educational costs (see graphs).

Whether a change in state priorities and a continued economic recovery can return enough money to the coffers of postsecondary education to continue to provide both excellence and access for all who wish to participate is a doubtful proposition. However, it is clear that California's system of higher education can retain its pre-eminence in a changing world only through sound policies, intelligent planning and considerable sacrifice, all of which were conspicuous by their absence in the 1983-1984 budget session.

LOCAL GOVERNMENT

By KEVIN BACON

When Governor George Deukmejian unveiled his 1983-84 budget last January, local governments (cities, counties and special districts) were not surprised. Again, it seemed, state government would reduce the amount of bailout aid that had been flowing to them since the 1978 passage of Proposition 13.

But by the time Deukmejian signed the budget July 21st, there had been a radical change. Local governments had become pawns in a showdown struggle between the Republican governor and the Democratically controlled Legislature. Will there be a sales tax increase in 1983, or will Deukmejian and his no-tax pledge prevail? Watch local government funding to find out.

It all began simply enough with a Deukmejian proposal to reduce local governments' unencumbered bailout money in fiscal 1983-1984 by $400 million, or about 31 percent of the $1.3 billion they were expecting to receive. (See box for bailout background.) This was not too much worse than the $347 million chopped out the year before, and certainly better than what would happen to local government if the dread "deflator" were allowed to operate.

The deflator became part of California law in 1979, the year the Legislature decided to make bailout a permanent part of state government spending. Local government and the public schools had lost $7 billion in property tax revenues because of Proposition 13 and were saying they could not survive without continuing help from the state.

But lawmakers were reluctant to insert such a large and continuing expenditure into the state budget ($4.9 billion that year) without providing some protection for themselves. If state revenues were to fall precipitously in the future, they did not want to have to raise state taxes to continue bailout funding for local governments. Let local politicians take the political heat for whatever might occur.

Kevin Bacon is a project manager with the firm of Price Waterhouse in Sacramento.

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The result was the deflator, a provision of the 1979 bailout bill (AB 8) that automatically reduces state aid to public schools and local governments if state revenues drop below expected levels. And for the past three years, state revenues have been dropping below those levels. However, in two of those years (1981-1982 and 1982-1983) the Legislature simply suspended the deflator and cut local governments by relatively small amounts.

Comes now the budget year of 1983-1984. When presenting his budget proposals in January for the fiscal year beginning July 1st, the newly elected Republican governor repeats his campaign pledge not to raise taxes. Legislative Democrats declare, however, that a sizeable tax increase is necessary, particularly to support the public schools.

Initially, the two sides fight to a standstill, producing a sales tax "trigger" compromise in February that promises to hold the line on taxes. Later, the governor agrees to close several tax "loopholes," producing a relatively small amount of new revenue, $466 million. But this is not the big tax increase that Democrats want. Thus, they turn to another plan.

Developed by the Assembly leadership, the plan was simply to pick up more money for state programs by using the deflator as was intended back in 1979. With state revenues running below the pre-set levels, the deflator would be allowed to take effect and local government would lose $1.2 billion rather than the $400 million Deukmejian had proposed. (Public school bailout would be left alone.)

Naturally, such a loss threatened the locals with disaster, except that the plan also called for giving them authority to raise the sales tax in their areas by one cent (from six to seven cents on the dollar). If all counties approved the increase, they would raise $1.3 billion, more than enough to offset the deflator loss. Indeed, in years to come, as the economy improved, the sales tax would produce even more.

Local governments had a mixed reaction to the plan. The California Special Districts Association endorsed it as did the California League of Cities. Privately, however, some city officials worried about "sales tax wars" that might occur if some counties decided to seek a competitive advantage in retail sales by not levying the tax. The County Supervisors Association of California was neutral on the plan. While having the most to lose from the deflator taking effect, county officials disliked having to take political heat by raising the sales tax.

But most importantly, Deukmejian was opposed, calling the Democratic plan a thinly veiled attempt to produce $1.2 billion in new state revenues through a general tax increase. And, he warned, he would veto any legislation containing it.

But though the governor's opposition ended any hope of enacting the local option sales tax, he could not stop the deflator from taking effect. Because its provisions were already in law, Democrats could block legislation to suspend it. Thus, the budget standoff was created.

In its final form, the budget and its companion trailer bill continued state aid to local governments through the first three months of the new fiscal year, or until October 1st. But on that date the deflator takes effect, causing locals to lose an estimated $950 million in the 1983-1984 year. However, there is no local-option sales tax to balance the loss.

Deukmejian responded sharply, vetoing some $1.3 billion in proposed state spending. As a result, the state now has enough money to give the locals all that Deukmejian had proposed last January. In other words, there is no need for a local-option tax increase.

And so the lines are drawn. Will Democrats relent and suspend the deflator, thereby losing the extra money they want for a passel of state programs? Or will Deukmejian relent and approve a local option sales tax? Local governments are waiting anxiously to find out.

The bailout dilemma

In June 1978, shortly after voters approved Proposition 13, state lawmakers began the "bailout;" that is, state aid to local governments and public schools (including community colleges) to help balance their loss of property tax revenue. After the first one-year bill (SB 154), lawmakers approved AB 8 of 1979, a permanent funding plan with three main parts.

First, the state assumed a large share of county health and welfare costs formerly financed from property taxes. Currently, about 33 percent of all bailout money ($1.9 billion in 82-83) covers these costs.

Second, since Proposition 13 did not abolish property taxes, but reduced them, a sizeable portion of the amount left to public schools was shifted to local governments. The locals received about $1.3 billion last year from this source. Meanwhile, the state gives public schools an equal amount to replace their property tax loss. The shift was made to give cities and counties a bigger incentive to approve property development since they would receive a bigger share of the property tax revenue from that development.

Third, schools were granted additional bailout funds to help replace Proposition 13 losses. In all, schools receive about 52 percent of total bailout revenues (about $3 billion in 82-83).

Generally speaking, lawmakers have not tampered with bailout funds for schools and for county health and welfare programs. The focus of recent cuts has been on the 20 percent of bailout that in effect goes to local government through the property tax shift from schools. Rather than dip directly into local governments' property tax revenues, the state reduces aid to the locals from other state sources, (called "subventions") such as revenue sharings from the motor vehicle fund.

Lawmakers have not been cutting equally into this 20 percent. Believing that cities can better fend for themselves by enacting fees and local tax increases, lawmakers have chopped out about 75 percent of their initial bailout aid. Counties have lost only about 10 percent, largely because they continue to help pay for many state-mandated health and welfare programs, and mandated changes in the programs often boost their costs. Special districts have been cut only about three percent, mostly because they are so numerous and so diverse that no one knows how to devise a statewide formula to fairly cut all.

Local Government Bailout (in millions)

	78-79	79-80	80-81	81-82	82-83	83-84
SB 154 Block Grant	$835	–	–	–	–	–
AB 8 Tax Shift	–	$781	$921	$1,046	$1,171	$1,289
Less – Subvention Cuts	–	(24)	–	(232)	(347)	(348)*
Net Local Bailout	$835	$757	$921	$814	$824	$941*
Total Bailout (Including Schools, Health, and Welfare)	$4,359	$4,880	$5,522	$5,883	$5,693	$5,737*

*proposed

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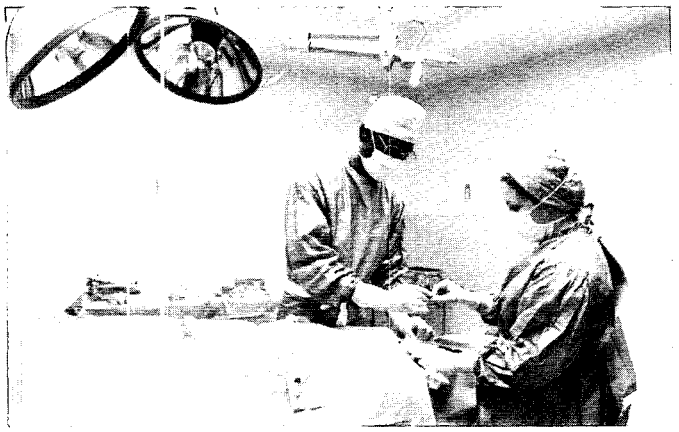


Photo courtesy Sutter Community Hospitals

HEALTH AND WELFARE

By JENNIFER KERR

When Governor Deukmejian took office last January, it seemed that another Republican knight would be tilting against the "welfare monster" and that welfare would be a major obstacle to budget accord. Instead, the GOP standard bearer turned his lance elsewhere and left the state's $4.7 billion welfare and Medi-Cal programs alive and reasonably healthy.

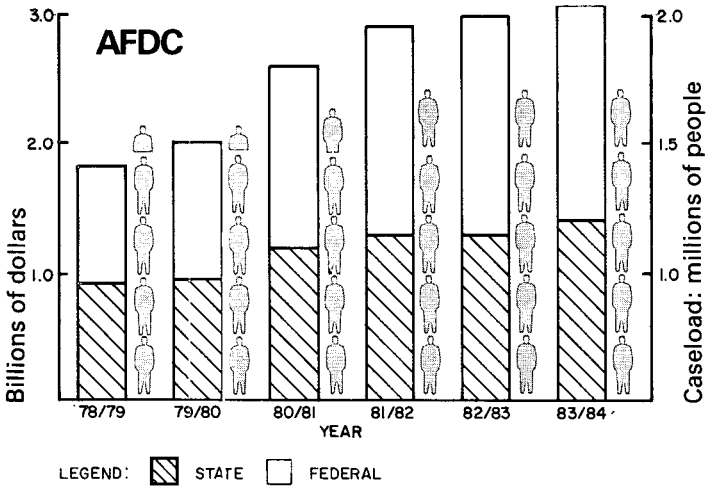
True, the governor vetoed extra money that the Legislature placed in the budget to help counties finance health care for the working poor. The extra money, $62 million, would have provided a 13 percent boost over the $476 million that Deukmejian requested last January. He also vetoed cost-of-living increases averaging about five percent for various county-administered health and welfare services as, for instance, sending social workers to counsel troubled families.

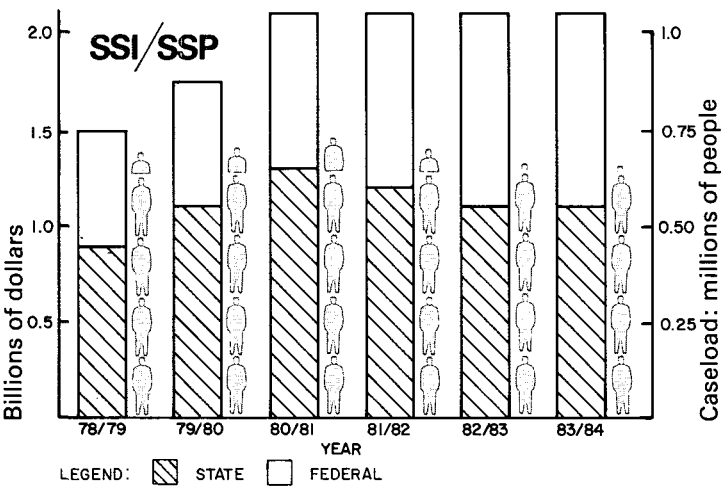
But the really big fight, over cost-of-living adjustments (COLA) for all 2.3 million welfare recipients, failed to materialize. About a month before the budget was signed, Deukmejian compromised with legislative Democrats on a COLA increase of four percent.

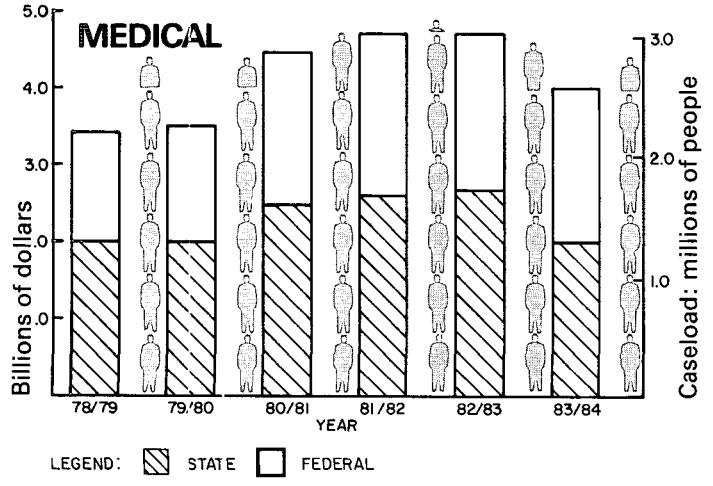
Initially, the governor wanted to give welfare families (AFDC) no COLA increase at all. But his bargaining position was weak because existing law gave the 1.6 million children and adults a 5.7 percent increase. Thus, he needed a change in the law to stop the raise, but he could not get it without Democratic support. On the other hand, the Democrats' bargaining position was weak on a COLA for some 700,000 aged, blind and disabled (SSI/SSP), who were scheduled to receive 2.1 percent from federal funds. Democrats wanted to add enough state money to bring the COLA to 5.7 percent, but Deukmejian could veto any such appropriation. Thus, the eventual four percent compromise for all.

Meanwhile, though, there was plenty of precedent for a

Jennifer Kerr is a Capitol reporter for the Associated Press.







Charts by Mike Doran

Source: Legislative Analyst

The State of California has three major health and welfare programs that together cover about 10 percent of the state's population and will cost the state about $4.2 billion this fiscal year. The federal government puts up a comparable amount, and California counties contribute another small share.

The first program covers some 1.6 million children and adults and is known formally as Aid to Families with Dependent Children (AFDC). Established as part of the 1935 federal Social Security Act, the program provides cash grants to families when one parent is absent or unemployed and the other cannot adequately support the children.

The second big program provides aid for some 700,000 poor persons who are aged, blind or disabled. Known formally as Supplemental Security Income/State Supplementary Payment (SSI/SSP), the program also descends from the New Deal and is administered by the federal government.

The third program, Medi-Cal, finances health care for some 2.8 million persons, including welfare recipients and the "working poor." The latter earn too much to qualify for welfare but can't afford large medical bills.

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budget deadlock on the welfare issue. In 1980, Senate Republicans stalled the budget for 16 days because they opposed (unsuccessfully, as it turned out) a 15.5 percent COLA for welfare recipients. Former Governor Jerry Brown tried to hold the COLA at six percent in 1979, but the Legislature refused to go along, and the COLA went to 15 percent.

Former Governor Ronald Reagan, who managed a successful welfare reform in 1971, was the one who called welfare monstrous. "We find ourselves in the position of cutting back on the type of things people should ask of government — parks and everything else — to feed this welfare monster," he declared in 1970. Deukmejian, in his campaign for governor last fall, sounded a similar theme: "Something is wrong when we are on the top in welfare (spending) and on the bottom in education."

Deukmejian's initial welfare proposals were contained in his January budget message, and they hit hardest at the state's major aid program, AFDC, (see box for program descriptions) leaving SSI/SSP and Medi-Cal alone. His action was not surprising since SSI/SSP — for the aged, blind and disabled — is rarely criticized at the Capitol (California's grants are the highest in the nation) and Medi-Cal was radically reshaped last year to cut costs by injecting price competition into the system.

In calling for a freeze on AFDC payments, Deukmejian noted that a California welfare mother with two children received $506 a month, or $126 more than the combined average paid by New York, Massachusetts, Michigan, New Jersey and Pennsylvania. But the Legislature was not impressed. Under its proposal, the grant would have gone to $540. The compromise took it to $528.

The proposed freeze would have saved $85 million. (With the four percent compromise, the state saved $60 million.) The governor also called for saving about $91 million by cutting grants for persons who share housing with others, by starting grant payments at the beginning of the next month instead of immediately and by improving fraud detection systems through more intense scanning of applications.

The Legislature rejected the first two proposals but gave the administration a modified version of the third, one that gives counties a right to keep their current fraud-detection systems, provided they can prove them effective. Concerning the start of new grant payments, the administration announced later that it would begin first-of-the-month payments on its own.

In April, Deukmejian's Health and Welfare secretary, David Swoap, unveiled the administration's long-range welfare reform package. Its centerpiece was "workfare," a program that would have required an estimated 200,000 welfare mothers with children three and older to work in public service jobs. (The children's age was later moved up to six.)

Swoap, a welfare official who worked for Ronald Reagan in both Sacramento and Washington, said the program was neither punitive nor harsh and said the public wanted recipients to "seek work as a first priority in life, rather than welfare."

The proposal, along with Deukmejian's proposed budget cuts, met with heavy opposition from various groups — such as the California Rural Legal Assistance Foundation — that usually represent the poor. The groups brought dozens of women to the Capitol to protest the governor's programs.

The women did not fit the stereotype of the promiscuous, uneducated lower-class woman who stays on welfare forever by having illegitimate child after illegitimate child. These women were from middle class backgrounds, often with college degrees, and were on welfare because of divorce. Their husbands had left and were failing to pay adequate child support. Woman after woman told legislators that they had searched for work but could find nothing to support themselves and their children as well as pay for child care, transportation and other such necessities.

Other opponents contended that workfare had been tried in California by then-Governor Reagan in 1971 and had not worked. A 1974 Auditor General's report said 59,000 persons were supposed to be placed in the first year but only 1134 got jobs. However, the workfare proposal is not dead. A modified version has been endorsed by Democratic Senator John Garamendi of Stockton and could be approved later.

Meanwhile, the administration is continuing to push for approval of another element in its welfare reform: improved collection of child support payments, primarily from absent fathers. Administration officials say that unpaid child support payments for welfare children total some $600 million, enough to provide a $1125 bonus for each welfare family of three.

TRANSPORTATION

By JEFF RABIN

While the rest of state government adjusts to the tight-fisted fiscal reality of the Deukmejian era, business is booming at Caltrans. The state's massive transportation department is gearing up for the biggest highway building effort since those heady days, a decade ago, before the Arab oil embargo. Thanks to a gusher of new gas tax revenues, concrete will be poured on dozens of long-delayed highway projects throughout the state.

Unlike other state agencies, Caltrans works largely on the basis of a five-year building plan called the "State Transportation Improvement Program" or STIP. Another year is added to the program annually so that Caltrans is always looking five years ahead. At the moment, it is looking at a $12.1 billion program, 20 percent bigger than the program advanced only last year by former Governor Jerry Brown and his fiery transportation director, Adriana Gianturco. Of the total, $7.45 billion will come from federal funds and $4.65 billion from the state.

Thus, while holding the line on state spending generally, Deukmejian can preside over a renaissance in highway building without having to share any responsibility for the substantial gas tax increases that made it all possible. California motorists today are paying seven cents a gallon more in gasoline taxes than they were last Christmas because the state's gasoline tax jumped two cents (to nine cents a gallon) on New Year's Day. That increase was intended to bail out what had been a financially strapped transportation program under Brown and Gianturco. The Legislature passed the gas-tax boost in 1981 but delayed its implementation until after Brown left office. Brown signed the bill, which included a big boost in fees on heavy trucks, cars and motorists. At the time, Deukmejian was safely ensconced in the attorney general's office.

But the explosive growth in the state highway program that is now occurring would not have been possible without the nickel increase in the federal gasoline tax that took effect April 1st. That brought the federal levy to nine cents a gallon. California motorists also pay a six percent sales tax on gasoline.

Almost overnight, the state's transportation coffers began to swell from the infusion of new federal funds, and Caltrans began to scramble to take advantage of the new opportunities it afforded. After a go-slow approach to highway construction

Jeff Rabin is a Capitol correspondent for the Sacramento Bee.

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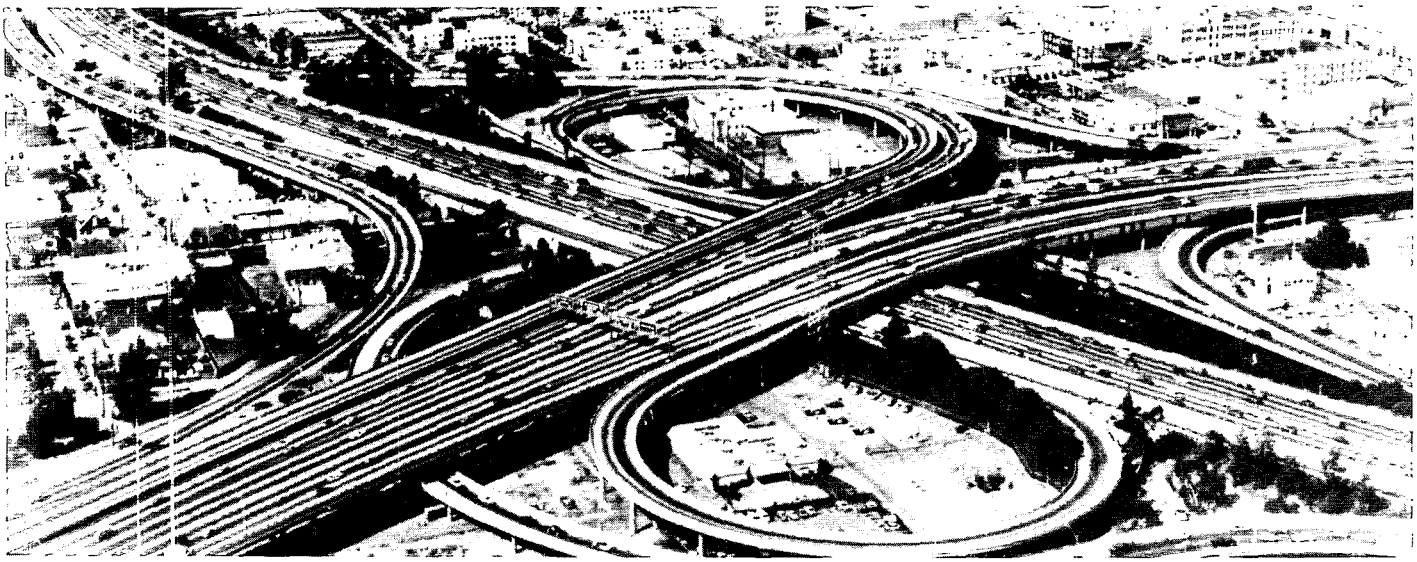

during the Brown-Gianturco years, the department found itself with few already designed highway projects that could be quickly put out to bid. The new administration immediately adopted a "fast track" approach to streamline environmental impact studies and accelerate the design and engineering of new freeway projects.

Hungry for engineering talent, Caltrans, already the largest department in state government, went on a hiring spree while most state agencies labored under a hiring freeze. The department's work force is now authorized at 15,800, nearly 200 above the 1982-1983 level, with most of the increase being new engineers. Caltrans has been busy recruiting engineers from inside and outside state government, but the growth in the highway program has been so swift that questions have been raised about Caltrans' ability to complete the work.

Leo Trombatore, a 36-year Caltrans veteran named transportation director by Deukmejian, believes the five-year program is an ambitious one and admits that Caltrans has a heavy work load ahead. Trombatore, himself a highway engineer, is banking on a 15 percent increase in Caltrans productivity to complete the task. He is confident that improved morale will spur his colleagues on.

A new spirit is evident at Caltrans. After years on the sidelines, the highway engineers are back in charge, and a new pro-highway philosophy set by Deukmejian has filtered down to all levels of the transportation department. Deukmejian made his priorities clear a week after taking office when he vowed to shift the emphasis at Caltrans from "exotic alternative transportation schemes" (trains and bike lanes) to "proven priorities of safe, well-maintained and efficient highways." That's exactly what he's done. While the highway program escaped Deukmejian's blue pencil, he used his veto authority to end state subsidies for the overnight "Spirit of California" passenger train between Sacramento and Los Angeles, a move that will likely end that rail service this fall. Deukmejian noted that the train, a favorite of Gianturco, failed to meet ridership projections and recovered less than 40 percent of its operating costs through fares. The state standard is 55 percent farebox recovery by the end of the current fiscal year.

The "Spirit" is the second rail service eliminated by Deukmejian. Earlier, he put a stop to another Gianturco experiment, an Oxnard-to-Los Angeles commuter train. Deukmejian granted a third state-subsidized rail service, the "San Joaquin" from Oakland to Bakersfield, a one-year reprieve.

The blue pencil also was used to eliminate all funding — about $2 million — for building bicycle paths between cities. Deukmejian said he wanted to concentrate bicycle lanes within communities.

Like other state employees, Caltrans workers saw Deukmejian reduce the pay and benefit package passed by the Legislature. Otherwise, he left the transportation budget essentially intact. Funding was provided for expansion of San Diego's highly acclaimed light rail system, construction of a trolley system in Sacramento and planning for light rail lines in Santa Clara, Orange, and Los Angeles counties.

The budget also contains funds to upgrade the commuter rail service into San Francisco from the peninsula and to continue planning for the enormously expensive $3 billion Metrorail subway between downtown Los Angeles and the San Fernando Valley. Subsidies for the state's transit districts were continued at a higher level than the previous year. The governor also left untouched budget language by Democratic Assemblyman Philip Isenberg of Sacramento, designed to force the pro-highway California Transportation Commission to allocate funds for mass transit projects.

Overall, the STIP provides about $550 million for mass transit during the next five years. But the figure is misleading because, unlike the highway program, it does not include federal matching funds for such projects as the Metrorail subway. The state dollars could draw as much as $2 billion in federal cash for transit construction. (A penny of the nickel federal gas tax increase is earmarked for mass transit.)

Even so, the mass transit program pales when compared with the highway program. The 1983 STIP adopted by the Transportation Commission in July contains $5.3 billion for building new highways over the next five years. Major highway projects are scheduled for rapidly growing areas of the state, reflecting a Deukmejian policy that highway funds should be used to encourage growth and stimulate new development. Construction is slated to start on the long-delayed $1.5 billion Century Freeway in Los Angeles — the most expensive road project in the state's history.

Trombatore insists that another state gas tax increase is not needed and the prospect of a cash crunch three or more years into the five-year plan has not crimped the new administration's aggressive pro-highway style.

Meanwhile, Trombatore has ordered a comprehensive study of the state's long-term transportation needs for presentation to the Legislature in late summer, 1985. "We haven't really looked at the highway system in eight to 10 years," Trombatore said. "We had almost convinced ourselves that the highway system was not going to be allowed to meet the needs of the people. We looked at it from the standpoint of the available dollars and what it would buy rather than what was the need. I think that was wrong. We've got to get a handle on what is needed."

The study is likely to form the foundation of a future debate on the need for a new gas tax increase to keep the road building boom alive.

To help police the new roads, Deukmejian's budget contains $13.7 million for 227 additional highway patrol officers, bringing the total force to about 4800.

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TRAILER BILLS:

THE LEGISLATURE'S INCREDIBLE HULK

By RICHARD THOMSON
and ROBERT FAIRBANKS

What began as a small legal device for bringing the state budget into technical balance has become, in three short years, a legislative version of the Incredible Hulk. It's known as the budget "trailer bill," and this year's version is a massive, 355-page document that figured as prominently in the budget battle as did the budget bill itself.

Usually described as a device for implementing the budget, the latest trailer bill contains a vast array of provisions, some of which — in truth — were needed to implement various budgetary decisions. But the majority had relatively little to do with the budget. They were placed in the bill for a variety of reasons, but mostly because they would escape normal committee scrutiny, and potential opposition, as the trailer bill zipped through the Legislature. At one point, Democrats inserted a provision to prevent the governor from calling a special election on the Sebastiani reapportionment plan. Widely criticized, the provision eventually was removed.

The state Department of Finance gave birth to the trailer bill idea in 1980, intending that the measure overcome a specific constitutional problem that had arisen that year: Laws providing automatic "cost of living adjustments" (COLAS) for welfare and other programs would throw the 1980-81 budget out of balance unless amended to reduce their prospective increases.

The amendments could not be placed in the budget bill because California's constitution requires that a statute "embrace but one subject." Since the budget bill's "subject" is appropriations for state programs, the Finance Department suggested a second bill whose subject would be "fiscal affairs" and which could be used to amend the COLAS. And it was done.

But in so doing, lawmakers opened vast possibilities for themselves. The topic "fiscal affairs" is not only broad enough to cover almost anything, but the bill itself is largely resistant to a veto. If the governor, any governor, needs the trailer bill to balance the budget, he is likely to swallow hard and accept provisions within the trailer that he would veto if presented to him as separate legislation. Similarly, members of the Legislature are more likely to vote for the measure even though it contains provisions some may not like, because a "no" vote means stopping the budget as well.

As a result, trailer bills have fattened quickly over the past two years, and this year's version is fattest of all. Among its major provisions are those that raised $446 million in new state revenues through so-called "loophole closures" and other means. The trailer also enacted the four percent COLA increase for welfare families that was finally agreed upon by Governor Deukmejian and Democrats in the Legislature.

But beyond those and a few other major provisions was a plethora of lesser requirements, many of which could have been contained in separate bills. For example, the trailer bill requires the Bureau of Employment Agencies to hold public hearings before changing the amount of its licensing fees; no longer requires the Commission on Teacher Credentialing to maintain a directory of bilingual, cross-cultural teachers; transfers the setting of minimum standards for fire service personnel and equipment from the Board of Fire Services to the State Fire Marshal; authorizes local school boards to appoint California Cadet Corps officers in junior high and elementary schools; requires the Employment Development Department to issue three annual reports on certain programs; and prohibits temporary housing for prisoners at correctional facilities in San Bernardino County.

The trailer bill also includes appropriations that could have been included in the budget bill itself. However, the governor vetoed several of these.

Beyond all these detailed items, however, the bill contains provisions designed to control the way the governor spends the money appropriated in the budget bill. For example, the trailer bill requires that if the Agricultural Labor Relations Board budget is reduced by more than the average reduction for all state agencies, the budget for the Program Evaluation Unit in the Department of Finance would have to be reduced by 10 percent. This provision was included to dissuade the governor from drastically cutting ALRB funds. But Governor Deukmejian vetoed it anyway, arguing that it abridged his constitutional authority to reduce or eliminate an appropriation. He then slashed the ALRB budget by 27 percent.

Some legislators have threatened to sue the governor on the grounds that vetoes of control language in the trailer bill exceed his constitutional authority. But it is arguable that not only the vetoes but the whole trailer bill is of questionable constitutional validity because it violates the spirit if not the letter of the single-subject requirement. If provisions relating to temporary prison housing, bilingual-cross cultural teacher directories, and the duties of the State Fire Marshal can be considered part of the same subject, that constitutional limitation is without force or effect. In addition, the constitution provides that no bill except the budget bill may contain more than one item of appropriation, and this year's trailer bill has more than one. But the question of the bill's constitutionality can only be decided if someone brings that issue before the court.

Meanwhile, the Department of Finance has lost enthusiasm for its creation and may attempt to do without a trailer bill next year. It is unlikely, though, that the Legislature would be willing to go along because the trailer bill has proved useful for making policy changes in the law without having to go through policy committees, and for placing statutory restrictions on the executive branch through a bill which the governor finds almost impossible to veto. Unless the courts declare this kind of bill unconstitutional, it will become part of the regular legislative process, a part almost certain to increase in size and importance every year.

Richard Thomson is Chief Counsel to the Senate Judiciary Committee and Robert Fairbanks is editor of California Journal.

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Officials act to curb crime in the classroom

By VIC POLLARD

It was a rude introduction to the realities of modern life for two Sacramento parents whose memories of their own school years were marred by nothing more menacing than the usual social snubs. Their eighth grade daughter came home from school one day weeping in terror over threats from the campus gang of tough girls who were known to carry knives. A conference with the principal the next day brought no reassurance.

"If it would make you feel more comfortable," he said, "maybe you should take her out of school for a couple of days. I can't guarantee her safety."

Nothing so serious has befallen the family's two younger children so far, and indeed there is some good news to report in the battle against crime and violence in the public schools, which became a major political and sociological issue a couple of years ago, almost eclipsing the ever-present drug problem. Although information is sketchy, indications are that many school officials are taking a harder attitude toward types of student behavior that once would have been shrugged off as youthful high-jinks. And it is yielding results in some areas. In some districts, at least, incidents of students carrying weapons have declined dramatically during the past few years. In the Los Angeles Unified School District, for example, confiscations of guns from students declined 26 percent last year over the year before, and knives went down 11 percent.

The new attitude by school officials has made crime prevention and security a top-priority item in some districts. And a small but growing number of districts have installed computerized alarm and instrusion detection systems straight out of a James Bond movie.

But crime remains a serious problem. Campus crime carries a staggering price tag in money alone, a price that continues to soar every year. And its cost to the educational process and its impact on the moral values of the young are incalculable.

Almost unnoticed by the public, the security force of the Los Angeles Unified School District has grown into the fourth largest police department in Los Angeles County, ranking behind only the county sheriff's department and the city police forces of Los Angeles and Long Beach. It is larger than that of most cities in the United States, with more than 300 officers and a personnel budget alone of $13 million.

For the nine years ending in 1980-1981, school districts in Los Angeles County reported a total of $60 million in property losses. "Those were 60 million educational dollars which were lost to education," says John Burton, the county office's chief of security. "They were spent repainting, repairing or replacing something. But that's only the tip of the iceberg. It does not include the cost of security . . . or the cost of self-insurance, which many school districts have had to go to because they can no longer get insurance at reasonable rates."

By no means is the problem confined to the big cities. The recent killing of a Vietnamese student at a high school in Davis makes that clear. And in the small San Joaquin Valley farming town of Visalia, school officials have hired three full-fledged police officers to patrol their campuses.

No one knows just how much school crime there is or how much it costs California taxpayers. A study conducted last year by the state Department of Education came up with more than 105,000 incidents of crime and violence on school campuses, including nearly 21,000 assaults, and $10.3 million in property losses during the first five months of the 1980-81 school year. But officials acknowledge that the figures cannot be interpreted easily because of wide discrepancies in the attitudes of different school officials on where to draw the line between youthful pranks and criminal behavior. A school-yard fight might draw only a stern lecture from one administrator but be treated as a criminal assault by another, says Robin Wolfson, the education department staffer who analyzed the study.

In fact, she says, the inability to identify what is and what is not school crime is a major stumbling block in efforts to combat it. She cited the report of one high school principal who recently decided to embark on a campaign to reduce vandalism and other crime at his school. He designed a program to instill in the students a greater pride in their school and awareness of the problems of vandalism and crime. Nothing happened. When the problem at that particular school was analyzed, it was found that most crimes were being committed by outsiders coming onto the campus during school hours.

Another stumbling block in efforts to combat school crime involves the failure of research to identify useful solutions. According to Thomas Halatyn, a nationally recognized consultant in the field, "The fact remains that the social sciences have failed to identify any proven causes of school crime to guide actions. The first obligation of social science must now shift to directly helping to reduce the number of victims — both students and teachers — and not dwell

Vic Pollard, Sacramento bureau chief for Gannett newspapers, wrote "Franchetti of Finance" in the July 1983 California Journal.

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on armchair theorizing or more inconclusive studies."

Different attitudes

According to Wolfson, the difficulty of identifying causes for school crime crops up in other ways. It is not uncommon for teachers to be threatened by angry parents or students, but many teachers are reluctant to report such incidents, often for fear of reprisals or the problems that publicity would create in the classroom. Different school districts and even different administrators within districts have sharply differing attitudes about what is reportable as a crime. Most school districts use informal crime reports, and many use none at all, Wolfson says. Instead they call in the local police when necessary and keep no information which would help them identify their crime problem or develop means to combat it.

"This isn't really surprising," she adds. "In most cases, you're dealing with people who have been trained to teach and nurture students. Now they see themselves as being called to act as policemen, and they're often afraid, resentful, or uncertain about what they should do."

Nevertheless, there are some notable success stories in the effort to reduce school crime.

Los Angeles Unified and some other districts have achieved good results by assigning resident agents, some in uniform and some not, to the more troubled campuses. As permanent fixtures at the schools and in the surrounding neighborhoods, they come to know the students and can quickly spot an intruder who is a potential troublemaker. Often, they gain the trust of most students who frequently warn them that someone is carrying a weapon, that a drug deal is going down, that a fight is about to start.

"We develop relationships with the kids based on respect, not fear," Calvin Simpson, one of the two agents at Venice High School, told the *Los Angeles Times* recently. Added assistant principal Richard Cord, "We have a nice, quiet school. Constant vigilance is the reason."

The resident cop program takes a special kind of person, and the programs have not been without their problems. One of the police officers assigned to a Visalia school was reassigned recently after he pursued a student across the middle of campus with his car for stealing the officer's handcuffs. And at a Sacramento school, an adult hall monitor was arrested and charged with trading drugs for sex with female students.

One of the more elaborate security programs has been developed by school officials in San Diego.

Three years ago, Wolfson reports, San Diego's Lincoln High School was rife with violence, much of it spawned by gang activity. Students would come to school wearing gang "colors" and carrying concealed weapons that included guns, knives, brass knuckles, tear gas and mace. Fights were common before, during and after school hours. Dances and athletic events were frequently disrupted by "outings," the intrusions of one gang into another's turf. The walls were covered with grafitti and non-students and truants from other schools regularly came on campus, wreaking havoc with class disruptions and vandalism.

To combat the problem, the district assigned a full-time security officer. His first step was to get to know the students. He addressed school assemblies, spoke in classrooms, and roamed the halls, always visible, always accessible. Students began to warn him of impending trouble and to give him information which helped prevent violence or apprehend thieves. Next, he began to organize the neighbors. He toured the neighborhood, introducing himself, explaining that the school needed their help. He asked them to report suspicious activities, either to the school or to the police.

To suppress gang activity, the school forbade the wearing or display of symbols of gang membership. Tattoos had to be covered. Students violating the dress code were sent home. The district's policy of closed campuses was strictly enforced. Outsiders coming onto campus had to register with the principal's office. Those who failed to do so and didn't leave when asked could be cited and fined. As a result, Lincoln High has quieted down. During class, the hallways are almost empty, as are streets around the campus. There are fewer non-students on campus, fewer fights, fewer confiscations of weapons.

But the district did not stop there. At Lincoln and many other schools, San Diego was suffering huge losses from burglary and other property crimes, so officials launched a coordinated attack on intrusion and theft which relies not only on alarms but also on neighbors' observations and new rules for the use of the schools outside school hours.

Under the San Diego system, after-hours entries into school buildings are kept to a minimum. Entry into alarm-equipped areas on weekends or holidays is strongly discouraged. School sites are regularly patrolled by uniformed and armed security officers familiar with the premises and school procedures. Finally, the schools were kept darkened at night.

While dark campuses have been found to help reduce crime in San Diego, other districts have found the opposite to be useful. Sacramento city schools discourage theft and vandalism with fully lighted campuses with as much community use as possible during non-school hours.

Oakland's schools have a widely acclaimed program in which leaders of the city's street gangs have been enlisted to conduct peer-counseling programs with high school students. Known as Bay Area United Youth, the program is an outgrowth of a program started by AC Transit to combat crime and vandalism on its buses.

A few districts are beginning to employ high-tech solutions to school security. In Huntington Beach, for example, a single computerized console monitors all heating, cooling and light switches and an elaborate burglar and fire alarm system. The operator can immediately pinpoint the location of an intruder if he opens a door, which activates the burglar alarm, or if he breaks a window, which can trigger the thermostat in the room. As police or security officers race to the scene, the operator can keep them abreast of the intruder's location, often within a few feet. In addition, the campuses nor-

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mally are kept dark at night, but when officers arrive, they can radio the operator to flip on the lights at the right moment, often exposing a burglar or vandal who thought he was well-hidden.

Los Angeles Unified uses similar computer monitoring for some schools, but the computer has been employed in a different way at San Marcos High School near Escondido, says LA's Burton. While a rapidly growing number of schools are computerizing their attendance enforcement, San Marcos Principal Susan Markey goes farther and uses it heavily in her student discipline program.

"If you are a parent and you call up and say I don't want you to get on my kid anymore, she can punch up the kid's name and she can tell you every note that's been sent home, every phone call that the school has made to the parent, and it gives a complete picture of the kid's disciplinary problems instantly." She said it is also used to monitor teachers' performance in disciplinary matters, and it keeps a complete record of incidents of guns, knives, narcotics, theft and other campus crime, giving administrators a complete picture of the school's problems so they can deal with them more knowledgeably.

Police and the schools

Another indication of the new attitude of school officials is their changing relationship with official police agencies. Until relatively recently, there was deep distrust and suspicion between educators and the police. Administrators often considered police a disruptive force on campus and called them in only after matters were completely out of control. And police viewed school officials as softheads who preferred to look the other way at incidents which would be serious crimes if they occurred off campus.

That distrust appears to be changing, however, for a variety of reasons. For one, both sides have come to realize the direct relationship between truancy and burglary in the community. Some school districts have developed joint programs with their local police departments in which cops pick up youngsters on the streets during school hours and if they do not have a pass showing permission to be off campus, they are brought to school attendance centers until their stories can be verified. This has not only reduced truancy in many areas but also been found to have significant impact on daylight burglaries, many of which are committed by teenagers.

According to Halatyn, "We must emphasize strategies most likely to work in reducing school crime. One of the most promising is the cooperation of school and law enforcement officials in jointly analyzing the who, what, and where of school crime. This analysis is then used to guide coordinated prevention or apprehension strategies."

Actively encouraging such cooperation is the School Safety Center in the state attorney general's office, which was set up by Governor George Deukmejian when he held that office a few years ago. The center, which publicizes successful anti-school-crime programs and conducts training programs for both educators and police, has developed a coordinated program involving schools, law enforcement and probation officers, which is now being tested on a pilot basis in Santa Barbara.

It's happening slowly, but the barriers are beginning to break down, says Rory Elder, the center's crime prevention specialist. "More and more, school districts are beginning to realize that they can't exist without the police department," Elder says.

Deukmejian had less success with one other aspect of the school crime campaign he launched as attorney general. That was a lawsuit aimed at forcing schools to accept the fact that students had a right to personal safety while in school. After suffering some initial defeats in the courts, the suit is now on the shelf. However, Deukmejian's successor, Democrat John Van de Kamp, is asking the state Supreme Court for a related ruling on the meaning of a clause in Proposition 8, the so-called "victims' bill of rights," which calls for a safe school environment.

Ironically, Van de Kamp, as district attorney of Los Angeles County, was a key defendant named in the original suit, and if he chose to revive it, he could end up the plaintiff as well, with the suit called Van de Kamp vs. Van de Kamp.

While these kinds of programs hold promise in the war against crime and violence in the schools, they do not yet signal even the end of the beginning. That is evident in trends showing that it is affecting children at a younger and younger age. In Los Angeles County, where the best records are kept, guns and knives are beginning to be found in the hands of first graders. The awareness of that is one of the things that has caused school officials to get far more serious than they used to be about crime supression and prevention, says Elder.

Another is the pervasive nature of the problem, adds Burton. "It's not just in the urban areas," he says. "It's spreading out to the suburbs and the rural areas too."

a black for president?

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asks. "Is Cranston going to split the party? Is Mondale going to split the party? In fact, there is an asset to the party. It adds some spirit. There is not one of the announced candidates who can keep anybody awake beyond 12 minutes."

Long past time

Bishop Brookins, a staunch believer that now is the right time for a black presidential bid, was part of a group of black civil rights and political leaders who met in Chicago this past June and approved "the concept" of a black candidate seeking the Democratic nomination in 1984. It was a decision Reverend Jackson says makes it "highly likely" that he or some other prominent black will enter the Democratic race.

Says Brookins of the timing, "There will never be a time that is more 'right.' It was not the 'right' time for a Catholic to run for president when John F. Kennedy was elected. It was not the 'right' time for the 1954 Supreme Court school decision (that desegregated schools in Little Rock, Arkansas), nor the Montgomery, Alabama, bus boycott, the Fair Housing Act, nor the Civil Rights Act. The point is that the time is long past when a black should have the right to run for president like anybody else and be seriously accepted as a candidate.

"The very fact that such an idea of a black candidate has been raised publicly is a major step forward in American politics. Besides, what do we have to lose? You cannot fall off the ground."

Brookins' pragmatic approach is countered, however, by the public statements of black leaders like mayors Andrew Young of Atlanta and Coleman Young of Detroit who, like Willie Brown, are concerned that a black candidate could create a rift between local black politicians and white Democrats. Besides, they add, such a campaign could prove an embarrassing failure.

"So what?" argues California Assemblywoman Maxine Waters of Los Angeles, a prominent member of the black-candidacy movement.

Says Waters, "The 'right' time for such a move is now, because the 'right' time is when one dares to do it."

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Battle lines drawn over Sacramento County's poorhouse

By HILARY ABRAMSON

Some say a trip to the poorhouse can finish your self-esteem for good. Others insist otherwise — that it can actually be good for you.

It's difficult to know whom to believe when it comes to the bevy of experts who have been called upon to testify for or against Sacramento's poorhouse. (See "Off to the poorhouse," *CJ*, January, 1983.) The controversial welfare program already has attracted worldwide media attention and is now before the state Supreme Court.

In the meantime, though, it's illuminating to watch the experts perform. Like psychiatrists at a murder trial, they have delivered informed opinions on both sides of the case.

The poorhouse itself is a 72-bed barracks-style facility near downtown Sacramento. Starting last October, the county stopped giving welfare payments (maximum $199 a month plus about $70 worth of food stamps) to single, able-bodied persons who applied for aid. Instead, it offered room and board at the facility along with bus passes so that recipients could seek work.

The result was a sharp drop in the number of welfare applications and a lawsuit charging that the poorhouse violated various constitutional rights. The case was progressing before Superior Court Judge Fred Marler in Sacramento when, on June 30th, the Supreme Court stepped in and told the county to offer cash grants again. Thus, the poorhouse remains, but with only a handful of occupants. Meanwhile, the number of cash grants has soared. On July 27th, the Supreme Court took the case from Marler and said it would hear the issue itself.

Here is a sampling:

A 'medieval' facility

Before he even saw the poorhouse last April, the dean of the School of Social Welfare at University of California, Berkeley, called it "medieval." Harry Specht said more: "Given 20th century standards, stigmatization, loss of self-worth and dignity, and personal deterioration will be far greater over time for residents of the facility than it was for poorhouse residents in the 18th century."

With 30 years in the social welfare field, Specht dubbed the poorhouse a total institution. "It is striking that Sacramento County has designed a social welfare program that forces individuals in an economic crisis to sever supportive relationships and give up family surroundings and privacy at a time when they may be expected to experience stress and crisis. It must be equated with almshouses in the 1800s for relief of the poor."

"The basis of mental health is twofold," said Sacramento psychologist Sharon Yarian. "Feeling productive and having a sense of self-esteem and confidence and having a positive social environment and relationships. The county of Sacramento is, by institutionalizing their welfare recipients, depriving them of their self-esteem, independence and place in society. Psychologically, this forced living situation is creating mental anguish and illness and anti-social behavior . . . Because people are given the message by this placement that they do not count, they act on that belief by attempting nothing and becoming dependent."

One month later, the county's experts countered. Michael Wiseman, an associate professor of economics at UC Berkeley who has been a consultant on general assistance to Sacramento County since the case hit the court, challenged Specht.

"The studies he cited refer virtually without exception to consequences of institutionalization of handicapped, mental patients or elderly," said Wiseman. "In the studies, institutionalized people could be expected to remain institutionalized for a relatively long period of time. My preliminary analysis of the turnover suggests the average person will stay there (at the poorhouse) 2½ months."

Not only would the poorhouse experience *not* turn a person into a dependent type, said Rex Beaber, an assistant professor for family medicine at the UCLA Medical Center it could actually spur them to get off welfare. "The data indicate that strivings toward independence are actually increased by the mild adversity of the facility," he said, indicating he had examined 12 residents. Included in Beaber's definition of "mild adversity" is "reduction in personal freedoms such as being able to change channels on the TV set, done by management."

Among the benefits the facility gives welfare recipients, he said, are "camaraderie of fellow residents, an increase in free time and inducement to independence through mild adversity. Although one of the residents had suffered mild reparable psychological harm as a result of the placement, the remainder were free from any psychological harm."

Agreeing with Wiseman and Beaber was Edward Young, associate director of the Center for Health Services Research at University of Southern California School of Medicine. The literature cited by the plaintiffs' experts was not supported by "thorough, comprehensive evaluation using accepted evaluation methodology," said Young.

The middle ground

Judge Marler's own experts took the middle ground. The chief of the probate division of the Superior Court of Sacramento County, Dennis Jones, and a probate investigator, Chris Moore, had previously investigated foster homes and public facilities in guardianship cases. Despite the presence of dirty, "glassy-eyed" transients, both court experts gave the poorhouse passing grades as an institution. But they recommended separating the unemployed welfare recipients from the hobos for whom the warehouse-type structure was built five years ago.

Before Marler could order it, the county welfare department sent the transients across town to the county's program for public drunks. "Transients are a different type of people entirely from the people in there (the poorhouse) now," said Judge Marler. "I don't think people who qualify for welfare should be mixed with transients. Transients include hobos, winos — unwashed types."

Hilary Abramson, a reporter for the Sacramento Bee, *wrote "Off to the Poorhouse,"* CJ, *January, 1983.*

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GARAMENDI: "A CRUEL HOAX"

LEGISLATURE BANS CIVIL DEFENSE PLAN FOR NUCLEAR WAR

By GORDON L. MAGILL

You are mayor of Los Angeles. You have just been informed by the president of the United States that, in 48 hours, your city will be the possible target of a nuclear attack. Word of the danger leaks out. People panic, clog freeways, bus stations and airports, paralyzing the city in their attempts to flee. What do you do? Where do you turn? Is there a plan to help move the population out of harm's way?

The federal government thinks there should be such a plan and has appropriated money to help states create it. But the California Legislature says "no."

Democratic Senator John Garamendi of Walnut Grove, referring to the threat of all-out nuclear war, thinks any plan to evacuate the state's urban areas is a "cruel hoax" that lulls the public into a false sense of security by promoting the idea that large numbers of people can survive a nuclear attack. And the Legislature has agreed.

In a little-noted action last June, lawmakers approved a Garamendi amendment to this year's budget bill that prohibits the state Office of Emergency Services (OES) from spending federal funds to plan for evacuations in case of nuclear attack. Garamendi, the Senate's majority leader and a candidate for governor last year, was hardly alone. Lawmakers approved his amendment only after a well-orchestrated lobbying effort by anti-nuclear groups. Nor is the lobbying effort aimed only at the Legislature. At least 13 counties so far, including those that would evacuate populations and those that would "host" the fleeing multitudes, have refused to cooperate with the planning efforts.

Specifically, the amendment prohibits OES from spending $834,000 from the Federal Emergency Management Agency (FEMA) for what is known as the "Nuclear Civil Protection Program." According to a spokesman for the state Department of Finance, the amendment could not be vetoed by Governor George Deukmejian because the funds involved are federal, not state.

William Medigovich, the Deukmejian appointee who heads OES, says he is disappointed by the amendment's passage and his office is planning to seek an attorney general's opinion on its legality. According to Medigovich, the amendment may put the state in conflict with the National Civil Defense Act. But in the meantime, he says, the administration will follow the legislative will.

The federal program, aimed at getting populations away from potential danger, originated in the Carter administration and replaced the old civil defense strategy of backyard bomb shelters. Carter pursued the policy after a 1978 National Security Council report claimed that the Soviet Union had begun evacuation planning and shelter building while United States efforts were at a standstill.

That report, coupled with a Defense Department contention that crisis relocation could save 80 percent of the U.S. population in the event of a nuclear attack, prompted Carter to order an evacuation program be developed for U.S. cities. He also directed that these plans "be adaptable to help deal with . . . peacetime emergencies." FEMA, created by the merger of several federal agencies, was charged with managing all types of disaster responses.

The Reagan administration increased FEMA's appropriations and ordered that its civil defense cornerstone re-

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main crisis relocation.

The basic plan for crisis relocation in California is the same as that for all states. In the event of a national emergency declaration by the president, civilians would be told to leave "risk" areas (cities, towns and military installations most likely to be attacked) by cars, buses, trains, and planes along prearranged routes. People would be told to relocate to one of a large number of "host" areas throughout the state, areas supposedly beyond the reach of nuclear blast. Several evacuation routes, however, pass dangerously close to "risk" targets which FEMA has identified on its crisis relocation maps. Edwards Air Force Base in the Mojave Desert, for instance, lies along a relocation route from Los Angeles.

Each "host" area has been assigned an "allocation" or number of people who, if all goes well, would reach it safely. The allocations range from a low of 2,000 in the more remote parts of the state to a high of 1,714,000, the number of people who would end up in rural San Diego County. Once relocated, the refugees would be housed in pre-selected fallout shelters, such as schools, libraries, department stores, gymnasiums and even convalescent hospitals.

Local officials in the "host" areas are supposed to decide how best to care for the refugees.

Since there is no stockpile of food, water, and medical supplies by FEMA or by the state, "host" areas would have to draw upon local resources to support the relocated population. One emergency official in Sonoma County, Louis (Pete) Peterka, estimated that, with a resident population of approximately 210,000 and an evacuation allocation of 367,000, there would be only enough food for about one week. Another problem would be water, he said, which would quickly run short, especially in summer, and sanitation would prove a serious health hazard.

FEMA, the federal agency, assumes a maximum shelter stay of two weeks. By that time, the nuclear confrontation would have ended peacefully or an attack would have occurred and the state's major cities destroyed. What to do in case of the latter? "Post-attack planning is not part of our mission," says Loren Fields, who heads the Office of Nuclear Civil Protection, the state agency within OES that handles crisis relocation. However, upon request, Fields' office will send a package of survival literature assembled by Clayton Survival Services of Mariposa (See box).

At the moment, Fields is not quite sure what to do. Although the Garamendi amendment prohibits spending federal money to plan evacuations in case of nuclear war, it is silent on other calamities that might require evacuations. Supposing, for instance, that a terrorist group planted nuclear devices in a California city and threatened detonation unless its demands were met. Fields believes that he has authority to continue planning for that sort of disaster, but is seeking legal advice nonetheless.

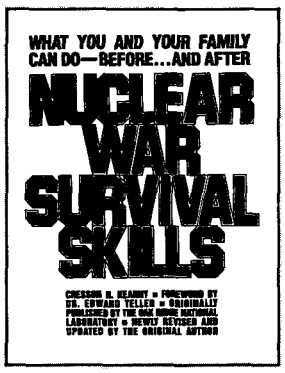
Meanwhile, planning for nuclear war evacuation has stopped with only two-thirds of the state's 58 counties surveyed to identify suitable buildings to house refugees, and with evacuation or host plans completed for only 29 counties. In addition, 13 counties have either refused to cooperate with the program or questioned the feasibility of relocating large numbers of the state's population. The 13 counties are Alameda, Contra Costa, Fresno, Humboldt, Marin, Mendocino, Monterey, Nevada, Sacramento, San Francisco, San Luis Obispo, Santa Cruz and Sonoma.

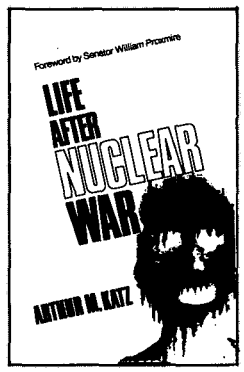
Garamendi's opposition to crisis relocation planning is not the first such stand in California. The former director of Health Services, Beverlee Myers, spoke out against it 18 months ago during an informational hearing on crisis relocation sponsored by Los Angeles Democrats Senator Diane Watson and then-Assemblyman (now, Senator) Art Torres. Myers said the plan "creates the illusion that the public health community can offer any assurance of health protection to the cities of California . . ." in the event of a nuclear attack.

Orchestration

Senator Watson, together with Garamendi and Torres, then introduced a Senate Joint Resolution asking Congress and the president to discontinue planning for crisis relocation and implement instead a policy aimed at worldwide reduction of nuclear arms. The resolution, which requested

A library for survivalists





For a growing number of Americans known as "survivalists," Clayton Survival Services of Mariposa is something like a narrowly focused book-of-the-month club.

The brainchild of Bruce Clayton, Survival Services has compiled a stock of literature on such diverse subjects as building a fallout shelter, the effects of nuclear war and Soviet and American defense strategy. Available, too, are Peace Corps handbooks on survival under primitive conditions and books on backwoods medicine, building a self-sufficient home and anonymously corresponding with other survivalists. (A complete bibliography is available from Clayton Survival Services, P.O. Box 1411, Mariposa, CA 95538)

Clayton, who runs the company from his Mariposa home, first became convinced people could survive nuclear war while studying entomology at the University of Montana and has since become one of California's most vocal proponents of civil defense.

To Clayton, himself an author and editor of survivalist pamphlets, "Civil defense in California is almost nonexistent." He says that Mariposa County, although a "host area" for Modesto, has a miniscule civil defense budget, and that his job as the county's emergency planning coordinator is only quarter-time.

"I don't think that there is any way the United States can survive a nuclear war as a social, economic, and political entity with our current lack of preparedness," Clayton declares. However "An informed and prepared family could come very close to achieving a 100 percent probability of long-term survival," he insists, and estimates that nearly two million people in the U.S. agree with him.

And, what of those people who think no one can survive a nuclear war?

"The only thing that will kill you is going into it (nuclear war) with the attitude that you can't survive," he argues. "It's a self-fulfilling prophecy."

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that no state funds, staff time, facilities, or other resources be diverted to crisis relocation planning, died on the Senate floor in late May 1982.

This year, however, Garamendi resurrected the effort and paved the way by issuing a letter attacking crisis relocation. It was co-signed by six Democratic senators.

In the letter, he also pointed out that the Maryland General Assembly voted to exclude state funding for crisis relocation plans. Garamendi also sent out 1000 information packets to various anti-nuclear groups, including the statewide Bilateral Freeze organization, requesting them to bombard Governor Deukmejian with letters in support of the Legislature's action to withhold the crisis relocation funding.

There has been little reaction to Garamendi's amendment from the governor's office. Medigovich calls the governor "a practical, safety minded man . . . if nuclear civil defense is called for by the public, then he will support it."

Medigovich, a former CIA official, says: "We haven't had a good chance to fully inform the Legislature on the need for civil defense planning. We haven't had the manpower, time or money to set up a lobby for ourselves, as have (anti-nuclear) groups."

Craziness

Medigovich does not wish to argue whether crisis relocation during a national emergency would provoke an attack, as Garamendi and others contend. "The civil defense situation is tremendously complex. The last thing we're interested in is a policy debate, or debating foreign policy," he says. And, he disagrees that crisis relocation should be unthinkable. "There is still the possibility of nuclear war, or limited war, a terrorist act, a plane crash or chemical explosion. Do we recognize this and deal with it or not? Khadafy now has, for example, a nuclear capability and could conceivably place a bomb in San Francisco or Los Angeles," he says.

His antagonists are not convinced. Garamendi calls crisis relocation for war "craziness, unworkable, bordering on the ludicrous." Democratic Senator Barry Keene of Elk, according to aide Don Peterson, feels that "in the event of a very limited nuclear attack, crisis relocation might save a small number of lives, but the greater danger of many lives being lost in a mass evacuation with millions of people strung out on the highways far outweighs the advantages of that." Senator Torres says, "I fear the folly of preparing for the aftermath of nuclear war leads us closer to that war." Senator Watson feels that "as citizens, we must ask, are these plans effective in terms of keeping people alive and healthy, and able to find food and shelter?"

California lawmakers and anti-nuclear groups aren't the only foes of crisis relocation. No less an authority than the former director of the National Security Council, Admiral Noel Gayler (U.S. Navy, Retired), calls the program "a dangerous illusion." Writing last month in the *Los Angeles Times*, Gayler said crisis relocation won't work because the Soviets have enough nuclear warheads to target host areas as well as cities and military installations. And he agreed that the program leads the world closer to nuclear war by giving the Soviet Union the impression that the United States is preparing for an attack. "A bad policy," he wrote.

No one involved in the debate wants nuclear war, or to have to implement crisis relocation. The central question still to be answered, perhaps by public opinion, is whether California should have a civil defense policy which treats nuclear war as an event that can be planned for and survived like any other major disaster, or whether nuclear war is unsurvivable and every effort of government should be directed toward reducing the possibility that it will ever happen.

NEW IN PRINT

Youth, Crime and Juvenile Justice in California: A Report to the Legislature, The Rand Corporation, 1700 Main Street, Santa Monica 90406. June 1983. 165 pp. No price listed. Recommends new approaches to dealing with juvenile offenders, including the development of sentencing guidelines, new rehabilitation efforts, and consistency and fairness in the treatment of juvenile placements. Concludes that the juvenile justice system is becoming more punitive rather than rehabilitative.

Securing California's Energy Future, California Energy Commission, 1516 9th Street, Sacramento 95814. 1983. 205 pp. This biennial report to the Legislature surveys the state's energy needs and supplies, evaluates energy conservation measures and technological developments, recommends state energy policies and actions, and assesses the impact of the governor's budget cuts on commission programs.

State of California Telephone Directory, Office of Procurement, Documents and Publications, 714 P Street, Sacramento; P.O. Box 1015, North Highlands 95660. 300 pp. $4.24. July 1983. The essential resource for communicating with state agencies, departments, boards and commissions, and state officials. Lists all state government offices, their addresses and telephone numbers, as well as some state personnel.

Academic Research and Public Service Centers in California: A Guide, California Institute of Public Affairs, P.O. Box 10, Claremont 91711. 1983. 60 pp. $18.50. A directory of research centers and institutes at California universities and colleges. Indexed by name and subject.

California Water Resources Directory: A Guide to Organizations and Information Resources, California Institute of Public Affairs, P.O. Box 10, Claremont 91711. 1983. 50 pp. $20.00. The first comprehensive guide to the organizations and other entities concerned with state water resources. Includes index.

Conclusions and Recommendations: Investigation and Hearing into the Escape of Kevin Cooper from the Chino Institution for Men on June 2, 1983, Joint Legislative Committee on Prison Construction and Operation, Senator Robert Presley, Chairman, State Capitol, Room 4048, Sacramento 95814. 1983. 25 pp. The report recommends the complete restructuring of prison record procedures, the computerization of inmate records and the implementation of better security plans at all prisons, including $500,000 for additional modifications to the Chino prison.

Report of the California Attorney General to the California Legislature Pursuant to ACR 85 (the Kevin Cooper case), Office of the Attorney General, 1515 K Street, Suite 511, Sacramento 95814. 1983. 61pp. Results of the attorney general's investigation into circumstances surrounding the escape of Kevin Cooper from the California Institution for Men at Chino. The report concludes that Cooper's escape would have been avoidable had a succession of human errors and a breakdown in criminal justice procedures not occurred.

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Ernani Bernardi's one-note song hits number one with the public

By GREG KRIKORIAN

Unlike the E.F. Hutton broker, people don't always listen to Ernani Bernardi.

The veteran Los Angeles city councilman has plenty to talk about. It's just that everyone by now knows what he is going to say about the high cost of government or how the city pays employees more than it should. He is stubborn. A complainer. A collective groan echoes among his colleagues, even those who might agree with him, when the cantankerous former big-band musician starts in on the same old tune.

But Bernardi, first elected to the council in 1961 and senior among its 15 members, doesn't mind the groans. He is used to them. Besides, after years of lonely votes and lost causes, he is on a political roll. Having survived an assault by one of the most powerful political forces in local government — the police and fire unions — Bernardi now finds that the voters of Los Angeles are seeing things his way. Within recent years, they have approved city charter amendments to limit annual growth in police and fire pensions and to repeal "prevailing wage," a charter provision that tended to maintain relatively high levels of city pay. Thus, although his colleagues may not listen to his familiar words more closely, they know that his sentiments cannot be ignored.

So who is this 71-year old curmudgeon whose attacks on public employee labor unions are being heeded with a bit more respect? As indicated, his most outstanding characteristic is abrasiveness. When it comes to admonishing colleagues and scolding department heads, he is second to none. He can also appear self-righteous, waving budget figures or salary surveys in one hand and steadying his frame with the other as if speaking from a Southern pulpit. "I told you sos" regularly punctuate his speeches. Although he talked like a mayoral candidate for a while last year, his chances on a single-issue platform would be slim.

Bernardi came to California in 1939 after years as a professional saxophone player, arranger and musical director for such legends as Tommy Dorsey and Benny Goodman. He spent the next 16 years as a successful building contractor, specializing in custom-built homes in the San Fernando Valley. In 1956, he was elected president of the valley's building contractors. He was later president of the statewide organization and was named "Builder of the Year" in 1961, the year he joined the council.

As a lawmaker, he pursues the biggest of conservative and liberal causes. He supported Proposition 13 but also co-authored the city's rent controls. He is suspicious of big business and special interests but insists the city should experiment with private sector takeover of some services, like refuse collection.

But he is never more passionate than when squaring off with employee unions. He criticizes their influence, demands concessions, rejects proposals for higher pay and urges the firing of any employee who participates in a strike, slowdown or other job action.

"He is not anti-union. It's not that simple," says one longtime city hall insider. "He was a union man himself as a musician and still prides himself on carrying a card. And as a builder, he had no problems with unions."

Indeed, Bernardi can be counted on for help when the city's police, fire or other associations want certain help. He was a strong supporter, for example, of the ill-fated "8,500 Plan," a measure to increase the LAPD's ranks to 8,500 officers with a special citywide fee, defeated by voters two years ago.

But don't ask Bernardi for support when it comes to getting more money or better benefits.

"Ernie is one of the finest council people we have," says Police Chief Daryl Gates, outspoken in his own right and not given to such tributes. "I have always been one of his strongest supporters because he is a fiscal conservative, and I believe in what he says.

"But he really thinks you can give someone low pay and get quality work. That's his only problem: He's cheap," Gates says.

"He's a big problem for us," says Dave Baca, a director with the Los Angeles Police Protective League. "He's only one of 15 on the council. But he's also a very tenacious

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worker and the one individual we have had the biggest problem convincing over the years."

"I don't think he has any special animosity toward us," says Lyle Hall, president of the United Firefighters of Los Angeles. "It is just a fact that emergency services take up 60-plus percent of the budget. So we are the place anyone looks to immediately when they want to cut city spending."

Bernardi agrees. "I haven't only picked on the police and fire unions," he says. "But I remember a statewide police newsletter years ago where they explained how they could contribute to both conservatives and liberals. They said the primary concern was economics.

"That attitude existed for years with the city council. As long as the members took care of union pension and pay demands, everything else was forgiveable. My problem with unions came about because I did the unforgiveable."

Two years ago, organized labor launched an all-out assault on Bernardi, tired of his challenges to their contracts. In an effort to foil his bid for a sixth term, unions, led by police and fire, contributed nearly $100,000 to one of his two challengers. It was an extraordinary commitment in a local council race, especially since the unions were also contributing to opponents of Mayor Tom Bradley and two other council members seeking re-election in the spring of 1981.

But Bernardi won, convincingly. "We had a candidate we thought was exemplary, interested and committed to our issues. We thought he would effectively represent the community. It turned out that the community didn't agree," Hall explains.

Can Bernardi take credit for the union defeats on the pension and wage issues?

"Is Ernie a giant killer? No," says the police league's Baca. "In the last five years, I don't think our influence has diminished as much as other factors, principally the economy, have become more important. Other priorities have taken away from the needs and desires of public employees," Baca says.

Hall, of the firefighters' union, agrees. "Without Bernardi, I think there would be very little (that's) different about life for us today." The culprits, according to Hall and others, are the economy and, in California, the era of limits brought about by Proposition 13. It is not, they say, Bernardi.

While delighted at recent victories, even Bernardi seems hard-pressed to describe his contribution. "I still don't know if a lot of people are listening," Bernardi says. "If they were, there would be a lot more I'd have done by now."

Meanwhile he continues to urge renegotiation of "disastrous" multi-year contracts with most of the city's 26,000 workers. The agreements, he says, leave the city helpless to change with the economy. He complains that executives are paid too much and that public employees have no right to strike.

"Understand, I like Ernie. He is a very personable guy and accessible. He listens. But he's very, very hard to convince," says Baca.

"I have an open mind," Bernardi responds, with a wide grin. "My mind is as open as theirs."

ROSTRUM

Mono basin

Newspapers and magazines have published reams of articles and editorials on the implications of the so-called Mono Lake decision. *(National Audubon Society* v. *Superior Court)* Most of these articles and editorials follow a common but contradictory theme: The Mono Lake decision is an extremely important one, but, don't worry, the decision won't really impact water customers. (See *California Journal*, May 1983, "A New Front In Water Wars: Introducing the 'Public Trust' Factor") To paraphrase the Bard, methinks the commentator doth protest the innocence of the opinion too much.

The Mono Lake decision is the most far-reaching development in California water law in the last 100 years and threatens to disrupt California's heretofore well-managed water supply system. The decision also represents a wholesale assault on the organization of state government and could be used to strip the Legislature of power to make many types of laws.

Prior to the Mono Lake decision, it was generally conceded that the city of Los Angeles held rights to water in the Mono Lake basin under the state constitution. In other words, these rights were "vested;" that is, granted by the state (in 1940) and not to be revoked. But now the court has introduced the "public trust" doctrine. Relying on ill-defined ancient laws, i.e., Roman Law, Hispanic Law and the Treaty of Guadalupe Hidalgo, the court says that these rights can be modified or even revoked at any time to protect "public trust" uses of the water, such as fishing, navigation, commerce, recreation and ecology uses.

Furthermore, the decision will adversely affect the administration of California's water policy by allowing virtually anyone to raise the public-trust issue. Prior to the decision, standing in water rights disputes was virtually limited to water users and jurisdiction was more or less the exclusive domain of the state Water Resources Control Board.

But now, special interest groups, not concerned about water policy, may raise the public trust doctrine to advance their particular notion of what constitutes sound public policy. In another pending case for example, the Environmental Defense Fund has argued that the public-trust doctrine should be invoked to prevent a water agency from levying taxes to pay its obligations to the state under the State Water Project. Water management will become embroiled in policy disputes unrelated, or only minimally related, to water policy.

The expansion of jurisdiction to include the courts has another pernicious effect. The state's water develop-

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ment policies must be integrated if they are to succeed; a water rights decision in one part of the state affects other parts of the state. The state Water Resources Control Board has considered the large picture when rendering its water rights decisions. An integrated approach to water management is now impossible because the Superior Court of each county have the power to act independently.

The broader implications of the decision are even more catastrophic. The Supreme Court did not find that the statutory scheme under which the city acquired its Mono rights was unconstitutional. Indeed, implicit in the decision is the conclusion that the statutory scheme was, and is, consistent with constitutional provisions. Nor did the Court divest the city's water rights by "interpreting" the statutory scheme in such a way as to introduce the public trust doctrine.

The Supreme Court abrogated California's water statutes and constitution by relying upon "ancient laws" to invoke the public trust doctrine. At first glance, this does not appear to be a radical notion. Upon closer examination, however, precedent-setting implications of this rationale become apparent: Legislation can be overruled whenever a "suitable" ancient law can be discovered by the court. The Supreme Court has become a super-legislature to an extent never before experienced.

One can argue, as the pro public-trust faction has argued, that the Mono Lake decision does not significantly affect California water law. Because the problems of standing and jurisdiction described above are technical and not easily understood, such an argument is difficult to rebut with buzz words and other eye-catching phrases. Given the current state of public apathy, it is unlikely that the water industry will obtain much relief until California's water management system becomes unravelled. The devastating impact of the decision on the separation of powers is not so easily dismissed. Every citizen of the state must live with the political impact of the decision unless the Legislature quickly and forcefully reasserts its prerogatives.

WAYNE K. LEMIEUX,
Burbank

(Lemieux, an attorney, represents several Southern California water agencies.)

Dow review

Dow vs. California, ably reviewed by Doug Willis in the July issue, provides a base from which to explore issues which have been largely ignored (such as what happens when large corporate competitors try to outwit one another for the use of limited resources.)

Inter-corporate competition . . . contributed heavily to Dow's withdrawal, and research may show it of even greater importance than the popular scapegoats, as evidenced by U.S. Steel's unwillingless to allow Dow to expand onto its lands in Contra Costa County.

There is also an important omission from the book regarding competition for industrial plants between different geographic areas. While levels of environmental regulation are a factor, even more basic is the difference between democratic participation in western states and those of the east where a municipal mayor and a governor can all too easily settle a matter without public participation. Californians are quite used to having their say, particularly when they are being rushed, and Dow apparently had not adjusted to a situation where the citizen's voice is given as much weight as that of its attorney. Dow's response (and that of their competitors at that point) was to turn to the government for protection from the citizens and the news media.

MICHAEL GARABEDIAN
New York City

Agnos' staff

I could not resist responding to the August 1983 "Up Front" item which relates to the competency of Assemblyman Art Agnos' staff. As a San Francisco resident, administrator of a community agency and a constituent, I have had numerous opportunities to work with several members of that staff. The comment attributed to Senator Richardson (Republican H. L. Richardson of Pasadena) that "Agnos hasn't a staff aide smart enough to write (an) article for him" is totally unfounded and inaccurate. I think the Assemblyman's staff consistently reflects a high level of intelligence and responsiveness, uncommon in the world of politics. A good example is the Assemblyman's 1982 Annual Report. He is one of the few legislators to produce such a report which documents the variety of constitutent needs that he and his staff respond to on a daily basis.

JENNIFER THOMPSON
San Francisco

Merksamer

As an alumna of Claremont Graduate School, I am puzzled as to which college Steve Merksamer attended. According to the article by Bob Sylva, Merksamer attended Claremont College. There is no such school. The group of schools known collectively as The Claremont Colleges consists of Claremont Graduate School, Claremont McKenna College, Harvey Mudd College, Pomona, Pitzer, and Scripps. Did Merksamer attend one of these schools?

CYNTHIA K. SHORT

Editor's note: Steve Merksamer attended Claremont Men's College, now known as Claremont McKenna College.

Roll Call

A most alarming format change has occurred — that is, the Roll Call section no longer has a chart of votes that show how (and if) each legislator has voted. I used to count on this chart to track the performance of legislators. I guess I'll have to go elsewhere for this sort of useful reporting. It looks like the *California Journal*, as do many "maturing" institutions, has become the captive of those being observed.

CARL OLSON
Alexandria, Virginia

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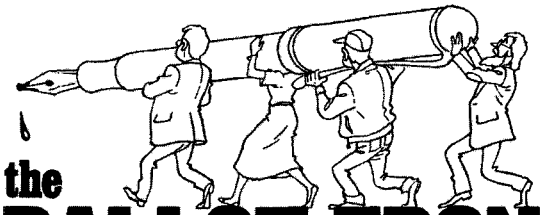

the BALLOT FRONT

A roundup of statewide initiative proposals. (Signatures required and deadlines are in parentheses.)

In circulation:

• **WELFARE** — an initiative statute that requires welfare recipients to work as a condition of relief and prohibits the state after July 1, 1986, from making welfare payments larger than the average such payments made by the nine next-most-populous states. (393,835, December 19th)

• **GAMBLING AND LOTTERIES** — an initiative constitutional amendment that requires the Legislature to authorize local lotteries for all cities and counties, authorizes legalized gambling for the cities of Adelanto and Clearlake, creates a Public Gaming Control Commission to oversee gambling and lotteries and requires that funds earned by the state from these activities be used for public education. (630,136, December 19th)

• **NUCLEAR WEAPONS** — an initiative statute that requires the governor to write the president to urge United Nations control over all nuclear weapons. (393,835, December 19th)

• **MAXIMUM SALARIES FOR STATE OFFICIALS** — a constitutional amendment to limit the salaries paid to all state legislators, the governor, statewide constitutional officers and justices of the California Supreme Court. (630,136, November 21st)

• **LEGISLATURE, RULES, PROCEDURES, POWERS, FUNDING** — an initiative statute to specify membership on Senate and Assembly committees, to require a two-thirds vote of each house and specified legislative committees on rules, committee assignments, appointments by the Assembly speaker and disbursements of funds, to reduce (by 30 percent) legislative support appropriations, to limit future growth to the same rate as overall state spending and to require public reports and audits of the Legislature. (393,835, October 7th)

• **SPACE STATION** — an initiative statute mandating the governor to deliver a statement to the president requesting a permanently manned space station be established by NASA before 1990. (393,835, October 17th)

• **MARIJUANA-HEMP** — an initiative statute (the 13th) drive to legalize and provide amnesty for personal use of marijuana for persons 18 and older. (393,835, October 14th)

• **UTILITY RATES** — a constitutional amendment that requires a 50 percent increase in gas and electric lifeline allowances to residential users, higher energy allocations to medically eligible users, 30 percent higher lifeline allowances to, among others, senior citizens and agricultural users; requires rate structures be redesigned so that larger users pay larger per unit costs for consumption of gas and electricity and prohibits, before 1988, lifeline rate increases beyond those of January 1st, 1981. (680,136, October 17th)

• **ELECTION CAMPAIGNS** — an initiative statute that attempts to clean up political campaigns by providing that ballots identify which candidates sign fair campaign disclosure agreements and by regulating the amount of campaign contributions and how those contributions may be spent. (393,835, December 19th)

• **SOUTH AFRICA** — an initiative statute that forces all California state, county and municipal agencies to divest themselves of all investments in South Africa. (393,835, December 29th)

• **FIRE SAFETY** — an initiative statute that requires the State Fire Marshal to establish fire safety standards for cigarettes and small cigars. Sets penalties for sellers of noncomplying products. (393,835, December 23rd)

• **TAXATION** — a constitutional amendment, sponsored by Howard Jarvis, that amends Proposition 13 to close loopholes Jarvis claims have been opened by the courts. The measure prohibits additional property taxes, prohibits the increase of any statewide tax except by a two-thirds vote of the Legislature, or any local tax except by two-thirds vote of the electorate. Also provides some refunds of real property tax assessments. (630,136, January 2, 1984)

Failed to qualify:

• **BALANCED FEDERAL BUDGET** — an initiative statute requesting Congress to call a constitutional convention to pass a requirement for a balanced federal budget has been withdrawn by proponents who plan to refile at a later date.

Qualified for next election:

• **REAPPORTIONMENT OF ASSEMBLY, SENATE AND CONGRESSIONAL DISTRICTS** — an initiative statute to repeal Democratically drawn boundary lines approved by the Legislature in January and replace them with districts drawn by GOP Assemblyman Don Sebastiani. (Qualified, July 6th)

Source: Secretary of State March Fong Eu.

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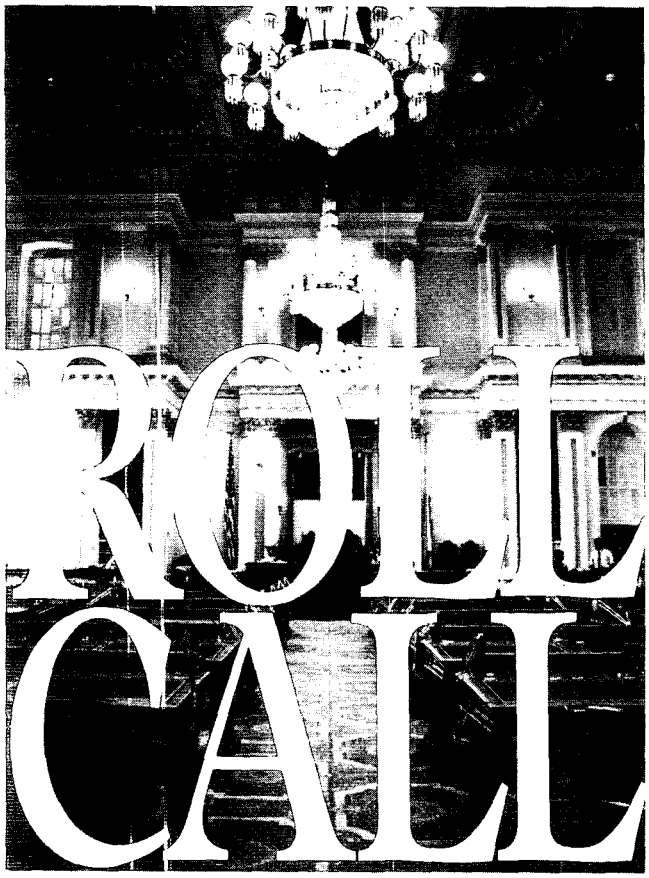

A defeated bill often has more votes in favor than against. This occurs because all bills, on the floor and in committee, need at least an absolute majority to pass. Thus, a bill may be approved 40-23 in the 80-member Assembly but be defeated because it failed to get the 41-vote majority. Urgency, appropriation and tax measures require two-thirds majorities on the floor, as do proposed constitutional amendments and veto overrides.

ASSEMBLY

STATE BUDGET

SB 123 (Alquist). Appropriates $23 billion for the support of state government for fiscal year 1983-84, about $1 billion more than governor wanted. Conference report adopted July 19th, 65-10.

DEMOCRATS FOR: Alatorre, Areias, Bane, Bronzan, W. Brown, Calderon, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Elder, Farr, Goggin, Hannigan, Hauser, Hayden, Isenberg, Johnston, Katz, Killea, McAlister, Moore, Moorhead, O'Connell, Papan, Robinson, Roos, Vasconcellos, Vicencia, N. Waters, Young.

REPUBLICANS FOR: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

DEMOCRATS AGAINST: Agnos, Bates, Harris, Hughes, Klehs, Margolin, Molina, Peace, Tucker, M. Waters.

REPUBLICANS AGAINST: None.

BUDGET IMPLEMENTATION

AB 223 (Vasconcellos). The so-called trailer bill. Accelerates income tax withholding collections from employers, repeals tax deduction for gasoline taxes, imposes sales tax on home video movie rentals, and makes other changes to implement the budget and amend other laws. Conference report adopted July 19th, 54-22.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, W. Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Elder, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, Moorhead, O'Connell, Papan, Robinson, Roos, Tucker, Vasconcellos, Vicencia, M. Waters, N. Waters, Young.

REPUBLICANS FOR: Baker, Frazee, Johnson, La Follette, Leonard, Mountjoy, Naylor, Nolan, Stirling.

DEMOCRATS AGAINST: Peace.

REPUBLICANS AGAINST: Allen, Bader, Bergeson, D. Brown, Felando, Filante, Frizzelle, Herger, Hill, Jones, Kelley, Konnyu, Lancaster, Lewis, McClintock, Rogers, Seastrand, Sebastiani, Statham, Wright, Wyman.

BLOODLESS BULLFIGHTING

AB 2160 (Calderon). Allows cities and counties to authorize bloodless bullfights apart from religious festivals. Proponents favor removing the current restriction on these events because they are an integral part of Portuguese culture. Opponents claim bulls are mistreated. Passed July 19th, 56-10.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bates, Bronzan, W. Brown, Calderon, Campbell, Clute, Condit, Connelly, Cortese, Costa, Davis, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Killea, Klehs, Margolin, McAlister, Molina, Moore, O'Connell, Peace, Robinson, Roos, Vasconcellos, Vicencia, M. Waters, N. Waters, Young.

REPUBLICANS FOR: Bader, Bradley, D. Brown, Felando, Filante, Frizzelle, Herger, Hill, Jones, Konnyu, Lancaster, Lewis, McClintock, Rogers, Stirling, Wright, Wyman.

DEMOCRATS AGAINST: Bane, Katz, Moorhead, Tucker.

REPUBLICANS AGAINST: Baker, Bergeson, Frazee, Kelley, La Follette, Sebastiani.

GAS STATIONS

AB 1107 (Papan). Requires service stations to provide water and compressed air free of charge to motorists. Gas station owners argue that they lose too much money providing air and water unless a customer also buys gas. Passed June 16th, 42-33.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, W. Brown, Calderon, Campbell, Chacon, Clute, Condit, Cortese, Costa, Davis, Elder, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hughes, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, O'Connell, Papan, Peace, Robinson, Roos, Tanner, Tucker, Vasconcellos, M. Waters, N. Waters.

REPUBLICANS FOR: Felando, La Follette.

DEMOCRATS AGAINST: Connelly, McAlister, Vicencia, Young.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Wright, Wyman.

TEENAGE DRIVERS

AB 1155 (McAlister). Would impose midnight to 5 a.m. curfew on 16 and 17-year-old drivers. Supporters say teenagers are dangerous drivers and restricting them will reduce accidents and save lives. Critics say the bill would penalize both the safe and the reckless. Urgency clause refused adoption June 15th, 40-28.

DEMOCRATS FOR: Areias, Bane, Bronzan, Chacon, Connelly, Elder, Farr, Goggin, Isenberg, Katz, Killea, McAlister, Papan, Peace, Sher, Tanner, Vicencia, Young.

REPUBLICANS FOR: Allen, Bader, Baker, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Mountjoy, Nolan, Seastrand, Stirling, Wright, Wyman.

DEMOCRATS AGAINST: Agnos, Alatorre, Bates, W. Brown, Calderon, Campbell, Condit, Davis, Floyd, Harris, Hughes, Johnston, Klehs, Margolin, Molina, Tucker, M. Waters, N. Waters.

REPUBLICANS AGAINST: Bergeson, Bradley, D. Brown, Lewis, McClintock, Mojonnier, Naylor, Rogers, Sebastiani, Statham.

CAMPAIGN LITERATURE

AB 311 (Connelly). Requires political candidates who subscribe to the Code of Fair Campaign Practices to give their opponents at least 48 hours before disseminating the text of any campaign statement or advertising. Proponents say the bill will discourage the distribution of false or misleading campaign material. Opponents

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state that such disclosure may give an opponent a tactical advantage. Passed June 15th, 43-33.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, W. Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Davis, Elder, Farr, Goggin, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, Molina, Moore, O'Connell, Papan, Peace, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, M. Waters, Young.

REPUBLICANS FOR: Johnson, Statham.

DEMOCRATS AGAINST: Floyd, McAlister, Robinson, N. Waters.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Stirling, Wright, Wyman.

PUBLISHER'S LAND SALE

AB 1108 (Papan). Undercuts a Santa Cruz County timber protection rule so that the publisher of the *San Mateo Times* may sell 80 acres of timber land. The author says his constituent has been treated unfairly. Opponents object to special treatment for a prominent person. Passed June 16th, 53-12.

DEMOCRATS FOR: Alatorre, Bane, Calderon, Campbell, Chacon, Cortese, Costa, Elder, Floyd, Goggin, Harris, Hauser, Hughes, Johnston, Katz, Klehs, McAlister, Papan, Robinson, Roos, Tanner, Vicencia, M. Waters, N. Waters, Young.

REPUBLICANS FOR: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Leonard, Lewis, Mojonnier, Mountjoy, Naylor, Rogers, Seastrand, Sebastiani, Statham, Wright, Wyman.

DEMOCRATS AGAINST: Agnos, Areias, Bates, Bronzan, Condit, Connelly, Farr, Margolin, Molina, O'Connell, Tucker.

REPUBLICANS AGAINST: McClintock.

NUCLEAR RESEARCH

ACR 54 (Bates). Requests the University of California to terminate research projects involving nuclear weapons. Advocates are philosophically opposed to the destructive uses of nuclear power. Opponents contend such research is necessary for national defense. Failed July 14th, 35-35.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, W. Brown, Calderon, Campbell, Clute, Condit, Connelly, Davis, Elder, Farr, Hannigan, Harris, Hauser, Hayden, Hughes, Johnston, Katz, Klehs, Margolin, Molina, Moore, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Vasconcellos, M. Waters.

REPUBLICANS FOR: None.

DEMOCRATS AGAINST: Costa, McAlister, N. Waters.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Statham, Stirling, Wright, Wyman.

GOVERNOR'S RESIDENCE

ACR 77 (Goggin). Creates legislative committee to evaluate plans for residence and office for the governor within Capitol Park in downtown Sacramento. Supporters favor locating a new governor's residence near the Capitol and selling the existing mansion which has not been occupied. Opponents favor retaining the mansion for the current governor's use. However, the governor has since said he doesn't want to live there. Passed July 11th, 42-26.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, W. Brown, Calderon, Campbell, Chacon, Clute, Connelly, Cortese, Costa, Davis, Elder, Farr, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Killea, Klehs, Margolin, Moore, Moorhead, O'Connell, Papan, Robinson, Roos, Sher, Statham, Tanner, Tucker, Vasconcellos, Vicencia, M. Waters, Young.

REPUBLICANS FOR: None.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Felando, Filante, Frazee, Frizzelle, Herger, Jones, Kelley, La Follette, Lancaster, Leonard, Lewis, McClintock, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Sebastiani, Wright, Wyman.

SENATE

STATE BUDGET

SB 123 (Alquist). See Assembly description. Conference report adopted July 19th, 35-2.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Deddeh, Dills, Garamendi, B. Greene, L. Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Montoya, Presley, Robbins, Roberti, Rosenthal, Stiern, Torres, Vuich.

REPUBLICANS FOR: Beverly, Campbell, Craven, Davis, Doolittle, Ellis, Johnson (Ind.), Maddy, Marks, Nielsen, Royce, Russell, Seymour, Speraw.

DEMOCRATS AGAINST: Carpenter.

REPUBLICANS AGAINST: Richardson.

BUDGET IMPLEMENTATION

AB 223 (Vasconcellos). See description under Assembly votes. Conference report adopted July 19th, 29-6.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Carpenter, Deddeh, Dills, Garamendi, B. Greene, L. Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Montoya, Presley, Robbins, Roberti, Rosenthal, Stiern, Torres, Vuich.

REPUBLICANS FOR: Craven, Doolittle, Ellis, Marks, Nielsen, Richardson, Seymour.

DEMOCRATS AGAINST: None.

REPUBLICANS AGAINST: Campbell, Johnson (Ind.), Maddy, Royce, Russell, Speraw.

GOVERNOR'S APPOINTMENT

The governor's appointment of former congressman and Assembly member Victor Veysey as director of the Department of Industrial Relations. He was opposed by organized labor which argued that he had an anti-labor record. Supporters contend that the Governor should have the right to select his appointees and that qualified ones should be confirmed. Rejected July 19th, 13-20.

DEMOCRATS FOR: Presley.

REPUBLICANS FOR: Beverly, Campbell, Craven, Davis, Doolittle, Ellis, Maddy, Nielsen, Richardson, Royce, Seymour, Speraw.

REPUBLICANS AGAINST: None.

DEMOCRATS AGAINST: Alquist, Ayala, Carpenter, Deddeh, Dills, Garamendi, B. Greene, L. Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Montoya, Robbins, Roberti, Rosenthal, Stiern, Torres and Vuich.

GUN OWNERSHIP

SCA 2 (Richardson). A proposed constitutional amendment that would guarantee citizens the right to bear arms and would bar local governments from passing ordinances prohibiting the ownership of guns. The author says court decisions and some local police authorities have infringed the right. Opponents argue that too many citizens are armed and gun controls are needed. Passed July 14th, 28-6.

DEMOCRATS FOR: Ayala, Boatwright, Carpenter, Deddeh, Dills, Foran, L. Greene, Keene, Lockyer, McCorquodale, Mello, Montoya, Presley, Robbins, Stiern, Torres, Vuich.

REPUBLICANS FOR: Craven, Davis, Doolittle, Ellis, Johnson (Ind.), Nielsen, Richardson, Royce, Russell, Seymour, Speraw.

DEMOCRATS AGAINST: B. Greene, Petris, Roberti, Rosenthal, Watson.

REPUBLICANS AGAINST: Marks.

SCHOOL ACTIVITIES

SB 407 (Seymour). Requires students in grades 7 through 12 to maintain a grade point average of 2.0 to participate in school athletics and other extra-curricular activities. Supporters contend the rule is needed to maintain academic achievement. School officials say that they should determine standards. Passed June 20th, 29-5.

DEMOCRATS FOR: Alquist, Boatwright, Carpenter, Deddeh, Dills, B. Greene, L. Greene, Keene, Mello, Montoya, Petris, Presley, Robbins, Roberti, Torres, Vuich.

REPUBLICANS FOR: Beverly, Craven, Doolittle, Ellis, Johnson (Ind.), Maddy, Marks, Nielsen, Richardson, Royce, Russell, Seymour, Speraw.

DEMOCRATS AGAINST: Foran, Garamendi, Lockyer, McCorquodale, Rosenthal.

REPUBLICANS AGAINST: None.

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The specter of Sebastiani

Democratic Congressman Jerry Patterson of Santa Ana recently broke a pattern of returning to his district every third weekend. Even though the next general election won't take place for more than a year, Patterson now is going home every other weekend. And he'll soon step up this pace with even more frequent appearances. It's not that he already has a formidable opponent beating the bushes. What scares Patterson and other Democrats in California's congressional delegation is something even more threatening — a reapportionment initiative set for a statewide vote on December 13th.

THE INITIATIVE, sponsored by Republican Assemblyman Don Sebastiani, could unseat up to a dozen Democratic congressional incumbents. Along with a possible end to Democratic rule in the state Legislature, it would obliterate the Democrats' 28-17 majority control of the congressional delegation. Nationally, Democratic numbers in the House could be reduced to the point where the party would lose effective control on major policy issues. Democrats still might boast a numerical majority, but Republicans and Southern conservatives would call the tune, as they did before last November's elections. Thus, it's hardly a coincidence that President Reagan is a prime booster of the Sebastiani plan or that the White House helped pressure Governor Deukmejian to call an early special election so it could go into effect for the 1984 elections.

The private betting among both Democrats and Republicans in the delegation is that the California Supreme Court is apt to strike down the Sebastiani measure and abort the December election. Lawmakers targeted by the initiative were heartened when the court agreed to take up the case and set the stage for an early decision. But Democrats are taking nothing for granted. With so many individual careers on the line and their power in the House under serious challenge, they're not only raising money for legal expenses but also for a multimillion-dollar statewide opposition campaign if the court takes a hands-off position. Some are already getting acquainted with new areas where they may have to run next year. "What normally would be a six-month campaign has been stretched to 18 months," says Patterson.

Although its prime victims would be Democrats, the Sebastiani plan also has caused jitters among a few Republican incumbents. While the GOP delegation publicly endorsed the initiative, there's grumbling that the redistricting scheme is more a highly publicized Sebastiani venture than a genuine party-building effort. Several Republicans, including Bobbi Fiedler of Northridge and Charles Pashayan of Fresno, are threatened by the reapportionment proposal and are not easily convinced that GOP sacrifices may be necessary to deal Democrats a major blow.

The Sebastiani measure has been painted as a Republican retaliation against the 1981-82 Democratic redistricting plan of the late San Francisco Congressman Phil Burton, but that doesn't quite tell the story. Burton's reapportionment strategy was basically an exercise in protecting incumbents of both parties. To be sure, he always ended up with extra seats for Democrats. But he managed to pull this off by putting a Democratic stamp on open seats or new districts that California picked up as a result of population growth. There was only one Republican incumbent, John Rousselot of San Marino, who was directly targeted by Burton last year, and he went down. But for virtually all other GOP incumbents, the Burton plan was a security blanket. (Burton truthfully could assure colleagues on both sides of the aisle: "Don't worry, you're in your mother's arms.")

Not so with Sebastiani. By carving up the state into marginal or competitive districts, he could end up with the scalps of more than a dozen incumbents, including a few Republicans. On the Democratic side, the list of vulnerable members includes several ranking lawmakers with committee or subcommittee chairmanships. Predictably, Democrats warn that Sebastiani would decimate California's influence on Capitol Hill by toppling powerful incumbents. ("We would be a toothless giant," fumes Don Edwards of San Jose, chairman of the Democratic delegation.)

Also threatened with political extinction are a fair number of minorities and women in the current delegation. If Sebastiani prevails, the odds would favor a whiter, more masculine and more Christian delegation. In Los Angeles, for example, four Jewish incumbents (Henry Waxman, Howard Berman, Mel Levine and Anthony Beilenson) and two blacks (Augustus Hawkins and Julian Dixon) would be squeezed into four districts. California could lose one Hispanic seat and an Oriental incumbent, Norm Mineta of San Jose. Two of the three women in the delegation (Fiedler and Democrat Barbara Boxer of Marin County) could be tossed overboard. However, Sebastiani forces claim that the new district boundaries would be fair to minorities.

With so many seats in peril, the Democratic delegation is gearing up for an unprecedented battle for survival. Nothing else matters. Recent efforts to strengthen California's clout to resist inroads by other regions in fights for federal dollars are all but forgotten. "Sebastiani has become an enormous distraction," remarks one member. Coordination of anti-Sebastiani strategy with Democratic leaders in the Legislature has not been a smooth affair. Selection of State Treasurer Jesse Unruh to head up the anti-Sebastiani campaign aroused some negative feelings. There have been disagreements about stragety and tactics — how to mobilize Democratic voters and what message to convey to them.

THE INITIAL DEMOCRATIC IMPULSE has been to tout the seniority that California would lose in Congress. But this argument is apt to wear thin. Carried to its logical conclusion, it becomes a rationalization to keep incumbents permanently in office. In fact, Sebastiani's move to scuttle safe districts is bound to have some popular appeal. Wouldn't voters be better served with a slam-bang contest every two years? The answer might be yes of Sebastiani also provided public financing of legislative races. But that reform is nowhere in sight. Last year, California witnessed half a dozen million-dollar campaigns for Congress. With Sebastiani, such expensive contests could become the rule because of the far greater number of marginal districts. With both parties already addicted to private-interest money, Californians may not hear much from politicians about who would foot the bill and what the ultimate costs would be if Sebastiani threw the doors wide open to megabuck control of elective offices.

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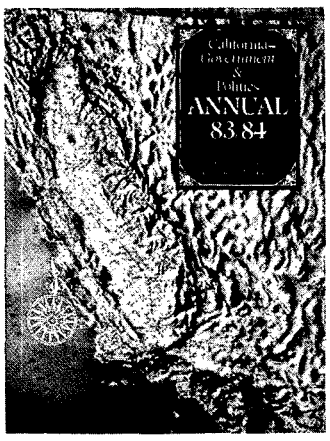

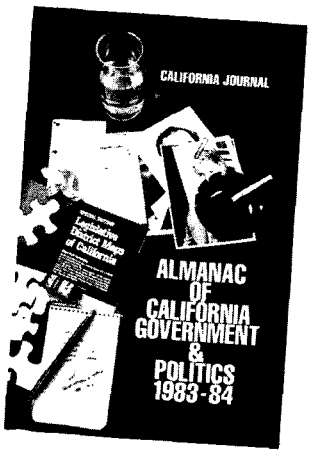

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